

**Minutes of the Regular Meeting of the
Northwest Regional Lancaster County Police Commission
Held on March 22, 2005**

1. Gerald G. Cole called the meeting to order at 6:30 P.M. in the Mount Joy Township Municipal Building at 159 Merts Drive, Elizabethtown, PA 17022. Mr. Cole led the pledge of allegiance.
2. Roll call: Present – Gerald G. Cole, Charles W. Ricedorf, Roger M. Snyder, Stephen J. Speers and Charles A. Tupper.

Others Present: Charles Kraus, III and Richard E. Forry.

3. Announcement by the Chairman:

The Commissioners will hold an Executive Session after tonight's meeting to discuss personnel matters. Any official action taken based upon discussions held in Executive Session will occur at an open public meeting.

4. Public Comment.

Irwin W. Engle, of 226 Brett Blvd., Mount Joy, PA 17552, was present to issue a complaint concerning his neighbor Thomas W. Johnson, of 77 Verna Court, Mount Joy, PA 17552, setting off fireworks within 100 feet of his barn while celebrating holidays. Mr. Engle moved his fence back to his property line so Mr. Johnson would be farther from the barn. Some of the fireworks Mr. Johnson sets off go 150' into the air. Charles Ricedorf questioned Chief Charles M. Kraus, III if there was a state law concerning fireworks and was told such a law does exist. Mr. Engle would like to see Mr. Johnson be given a warning. Further, if it would happen again, Mr. Engle wants Mr. Johnson arrested. Mr. Engle can't afford to have his horses get injured due to the fact they get scared from the sudden notice from the fireworks. Chief Kraus explained that the police have done some research and have determined there exists a problem in Mr. Engle's neighborhood relative to neighbor disputes. Mr. Engle asked what the dispute is about. Chief Kraus offered to discuss this with Mr. Engle at a private meeting. Chief Kraus informed Mr. Engle if someone breaks the law they will be arrested. The Commissioners will work on curtailing the fireworks issue and directed Mr. Engle to contact Chief Kraus to arrange a meeting.

5. Consent Calendar:

- a. Approval and ratification of the minutes of the February 22, 2005 meeting.
- b. Accept and ratify the Treasurer's Report for the period of February 1, 2005 through February 28, 2005, subject to audit.
- c. Approve payment of all bills via Bill List #3-2005 in the amount of \$16,351.81 and Bill List #4-2005 in the amount of \$24,926.12; and ratify payment of all payrolls for the period of February 19, 2005 through March 18, 2005, inclusive, in the amount of \$71,752.91, which represents two pay periods.

A motion was made by Roger M. Snyder and seconded by Charles A. Tupper to approve the consent calendar as written. All members present voted in favor of the motion.

6. Section 457 Deferred Compensation Plan:

Richard E. Forry, NRLCPC Secretary, explained that prior to the creation of the Northwest Regional Lancaster County Police Department, the West Donegal Township police officers had, and were participating in, a Section 457 Deferred Compensation Plan. The money the police officers contributed currently remains in that plan. Officer Aument spoke with Mr. Forry several months ago requesting a plan be established in the name of the Northwest Regional Lancaster County Police Department, into which all of the existing monies could be transferred, i.e. transferred from the West

Donegal Township plan. The Commissioners were presented with the plan. There will be no cost other than the time to set up the plan and for the employees to fill out the forms. The officers selected this particular plan. Mr. Ricedorf asked if the Commissioners are only endorsing a plan. Mr. Forry said that is correct and in effect the Commission will become the Administrator of the plan. The plan is voluntary and will consist of financial contributions from the police officers that choose to participate with no contributions being made by the commission.

A motion was made by Roger M. Snyder and seconded Charlie A. Tupper to adopt Resolution No. 1-2005 whereby the Northwest Regional Lancaster County Police Commission establishes a Section 457 Deferred Compensation Plan for the employees of the Northwest Regional Lancaster County Police Department. All members present voted in favor of the motion.

7. Correspondence:

- a. Police Report – January & February 2005.
- b. Police Overtime Report – January & February 2005.
- c. Police Mileage Report – January & February 2005.
- d. Police Accrued Compensatory Time Report – As of March 9, 2005

The number of abandoned vehicles on the report was questioned. Chief Kraus explained that Cockers Towing is within Mount Joy Township. When any abandoned vehicle goes unclaimed it needs a police signature on the official paperwork. It does not matter if the vehicle was picked up in another township or borough.

8. Other business:

- a. Mr. Tupper requested a light (co-jack light) be used on any unmarked cruiser during an emergency so it is more visible to other drivers.
- b. Mr. Ricedorf requested that only marked cruisers be used from dusk to dawn. Mr. Ricedorf feels this would make residents feel more comfortable, especially women, if they knew it was a marked vehicle vs. an unmarked. Mr. Tupper agreed. Mr. Snyder feels there are plenty of lights on an unmarked cruiser, thus it is easily identified when someone is pulled over. Chief Kraus indicated traffic stops with unmarked cars work best. If the driving public sees a marked vehicle, they “straighten up” their driving performance while in the vicinity of the cruiser and then revert to their previous driving performance when they are not in the vicinity of the cruiser. Mr. Tupper hears many complaints from West Donegal Township residents who say they do not see the police patrolling the township. Mr. Ricedorf understands the use of unmarked vehicles during the day. Mr. Ricedorf contends the driving public’s “comfort level” is enhanced when people are being pulled over by a marked vehicle. Officer Kenneth M. Henry stated there are many females who will not pull over until they reach a well-lighted area with witnesses. Mr. Henry said this is very understandable. Chief Kraus stated the police department does not have a problem with that. Chief Kraus explained at night normally four vehicles are on the road with one being unmarked. In an effort to demonstrate to the public that the police department is out patrolling and doing their job, Mr. Cole stated it might be beneficial to inform the public about how low the crime rate is in the area.
- c. Mr. Cole stated Marvin M. DeArmitt, of 1465 Campus Road, Elizabethtown, PA 17022, has requested the installation of a mirror to aid in getting out of his driveway. Mr. DeArmitt wants the township to do the installation. Chief Kraus has spoken with the Solicitor on prior occasions when similar requests were made, and was told the township should not be installing such equipment due to the liability exposure if something were to happen. It was stated that should the resident want to install the mirror, it must be located on private property outside of the road right-of way. Mark E. Wagner, Mount Joy Township Administrator/Engineer will send a letter to Mr. DeArmitt stating the township will not install the mirror or assume any responsibility for one.
- d. Chief Kraus noted that the Commission has been paying Mount Joy Township \$700.00 per month for accounting services. The police secretary is now doing the accounting in house. He would like this to be discontinued. Chief Kraus explained that Mr. Forry was and is doing work

for the police department as Treasurer, i.e. meeting agendas, meeting minutes, budget preparation, etc. He does this on his own time. Since the Commission will no longer be paying the township, Chief Kraus feels this unfair. He would like Mr. Forry to continue the work on his own time and to submit a bill to the Commission.

- e. Officer Henry mentioned that the sign at the end of Merts Drive should be changed to read Northwest Regional Lancaster County Police Department. Mr. Forry was directed to determine who is paying for the lighting and also what the cost would be to change the sign.
 - f. Officer Henry complained as to how the interviews for the Lieutenant position were handled and why there has been no response to the attorney's letter.
9. Next regularly scheduled meeting of the Northwest Regional Lancaster County Police Commission will be held on April 26, 2005, beginning at 6:30 P.M.
10. A motion was made by Roger M. Snyder and seconded by Charles A. Tupper to adjourn the meeting at 7:13 P.M. All members present voted in favor of the motion.

Respectfully Submitted,

Richard E. Forry
Secretary/Treasurer
Northwest Regional Lancaster
County Police Commission