

# **MANCHESTER TOWNSHIP BOARD OF SUPERVISORS**

**August 10, 2021**

## **MEETING**

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, August 10, 2021, which was called to order at 7:00 p.m. by Chairperson Wingert.

## **PARTIES PRESENT**

Lisa D. Wingert, Chairperson  
Rodney K. Brandstedter, Vice-Chair  
Beth Brennan, Supervisor  
John W. Inch, Jr., Supervisor

Timothy R. James, Manager/Secretary  
Danelle L. Goodwin, Asst. Secretary  
Lawrence V. Young, Solicitor  
BJ Treglia, C.S. Davidson, Inc.  
Daniel Hoff, YAUFR Fire Chief  
David Lash, NYCRPD Police Chief  
David Unger, Zoning/Planning Officer

## **PUBLIC COMMENT**

Chairperson Wingert invited the public to ask questions or offer comments about any item on the agenda as the board considers each item. She advised that the board would recognize the public at the conclusion of the agenda items for any questions or concerns about non-agenda items.

## **APPROVAL OF MINUTES**

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the meeting minutes of the July 13, 2021 regular meeting.

Motion carried. Ayes-4 Nays-0.

## **EXECUTIVE SESSION (7:04 p.m. – 7:11 p.m.)**

Ms. Wingert called an executive session for litigation notification regarding April 4, 2021 drowning incident and ongoing negotiations with the sale of the York City Sewer System.

## **UNFINISHED BUSINESS**

### **York City Sewer – Intermunicipal Agreement**

As summarized in item #2 of the manager's report, Solicitor Young and Mr. James reported that there has been no further action regarding the York City Sewer – Intermunicipal Agreement since the last Board of Supervisors meeting.

### **York City Sewer Treatment Plant**

As summarized in item #3 of the manager's report, Mr. James provided a status report on the development of the City of York's process on the sale of the York City Sewer Treatment Plant and the City collection system. Mr. James stated the working group continues to prepare for PUC hearings and future discussions with PA American Water. Mr. James also stated that the City of York received and accepted a high bid of \$235 million for the sale of the City Sewer System from PA American Water. Mr. James also



reported that on April 6, 2021 City Council voted to finalize the Asset Purchase Agreement for the sale of the treatment plant and collection system.

#### **Canal Road Betterment Project Developer's Agreement**

As summarized in item #4 of the manager's report, Mr. James and Solicitor Young reported the receipt of an October 7, 2020 updated draft developer's agreement but are awaiting comments from East Manchester and Conewago Townships. Solicitor Young reported a stormwater maintenance issue has arisen between East Manchester Township and PennDOT that has delayed the agreement approval process.

#### **Public Water Easement Request**

As summarized in item #5 of the manager's report, Engineer Treglia and Solicitor Young provided background on an easement request from Jehovah Witness, 932 Church Road, to access public water from Parkwood and Hummel Drive area through Cousler Park, due to current testing indicating bacteria in well. Solicitor Young reported that he is awaiting an executed agreement from the Jehovah Witness Brandywine Congregation before requesting Board of Supervisors consideration.

#### **American Rescue Plan Act of 2021**

As summarized in item #6 of the manager's report, Mr. James reported on the receipt of \$975,953.73 from the American Rescue Plan Act of 2021. The board discussed options on how the funds should be expended and provided guidance on limited items and will continue future consideration of the expense of funds.

#### **Fireworks Act 43 of 2017**

As summarized in item #7 of the manager's report, due to the increased concerns associated with the state fireworks legislation Act 43 of 2017 that allowed for bigger fireworks to be commercially sold in Pennsylvania as well as taking away the local municipalities ability to control of fireworks discharge, the Board of Supervisors will review a sample ordinance developed by the Solicitor for future consideration.

#### **NEW BUSINESS**

##### **3620 North George Street – Final Land Development Plan – Review #2020-13**

Blaine Markel, James R. Holley & Associates, was present to present the final land development plan for 3620 North George Street. Mr. Markel described the owner's desire to create a commercial parking area, including required stormwater upgrades. Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the following waivers:

- 1) A waiver is requested for the requirement to construct stormwater management structures outside of the building setback, Stormwater Management Ord. Section 26-133.11.
- 2) A waiver is requested for the requirement of preliminary plan submission. Section 22-405
- 3) A waiver is requested for the requirement to install concrete curbing. Section 22-703.2.B.
- 4) A waiver is requested for the requirement to install concrete sidewalk. Section 22-709.3.



- 5) A waiver is requested so that the existing driveway entrances remain at their current non-conforming widths as per the approved Final Land Development Plan for Quarles Petroleum, Inc.

Motion carried. Ayes-4 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the final land development plan for 3620 North George Street (Review #2020-13) subject to the completion of open items.

Motion carried. Ayes-4 Nays-0.

**3250 Raintree Road – Final Subdivision Plan – Review #2021-07**

Joshua George of Snyder, Secary & Associates, was present to present the final subdivision plan for 3250 Raintree Road. Mr. George described the property is 14.66 acres with the request by the owners to subdivide 1.30 acres leaving 13.51 acres. Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the following waivers:

- 1) SALDO 22.303 – Preliminary subdivision plan.
- 2) SALDO 22.709 – Installation of sidewalks along Raintree Road.

Motion carried. Ayes-4 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the final subdivision plan for 3250 Raintree Road (Review #2021-07) subject to the completion of open items.

Motion carried. Ayes-4 Nays-0.

**Expressway Commerce Center – Final Subdivision Plan – Review #2021-08**

Adam Davis of BL Companies along with Matt Clymer of MRP Industrial, were present to present a final subdivision plan for Expressway Commerce Center located at 480 Willow Springs Lane. Mr. Adams described the request to subdivide the current 94-acre lot into two (2) lots of 36.21 acres and 57.33 acres for the future consideration of warehouse development. Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the following waivers:

- 1) SALDO 22.303 – Preliminary plan submission for subdivision.
- 2) SALDO 22-401.C – Plan scale greater than 1" = 100' (1'=120' requested).

Motion carried. Ayes-4 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the final subdivision plan for Expressway Commerce Center (Review #2021-08) subject to the completion of the open items.

Motion carried. Ayes-4 Nays-0.



**NorthPoint Development – Bear Road – Rezoning Petition**

As summarized in item #9 of the manager's report, Brent Miles of NorthPoint Development, was present to present a rezoning petition seeking to amend the township zoning map/ordinance for six (6) parcels of land located in the collective area of Bear, Old Mill and Canal Roads currently zoned as Agricultural (A) open space to Industrial (I). Mr. Miles described the possible development of the area if rezoning was approved, in addition he provided background on NorthPoint Development. After a brief discussion, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to forward the rezoning petition request of the six (6) collective parcels in the area of Bear, Old Mill and Canal Roads, onto the Manchester Township and York County Planning Commissions for recommendation.

Motion carried. Ayes-4 Nays-0.

**Resolution #2021-18 – Heidelberg Township – NYCRPD Membership**

As summarized in item #10 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Inch, to adopt Resolution #2021-18 approving Heidelberg Township as a full participant member of the Northern York County Regional Police Commission effective January 1, 2022.

Motion carried. Ayes-4 Nays-0.

**Emig Road Deed of Drainage Easement**

As summarized in item #11 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Chairperson or Vice-Chairperson to execute the deed of drainage easement with Mundis Race Road, L.P.

Motion carried. Ayes-4 Nays-0.

**Chapel Drive Parking/Site Distance**

As summarized in item #12 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to authorize the Solicitor to develop and advertise a proposed ordinance for future board consideration of a parking restriction for a portion of the south side of the 1400 block of Chapel Drive.

Motion carried. Ayes-4 Nays-0.

**Crone Road Quit-Claim Deed**

As summarized in item #13 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to authorize the Chairperson or Vice-Chairperson to execute a quit-claim deed between RAK Church Road, LLC, and Manchester Township for a small section of Crone Road.

Motion carried. Ayes-4 Nays-0.

**Resolution #2021-19 – Crone Road Adoption**

As summarized in item #13 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Inch, to adopt Resolution #2021-19 which adopts relocated Crone



Road as a township street with rights-of-way and to authorize the Solicitor to file a petition for adoption of the street with York County Clerk of Courts.

Motion carried. Ayes-4 Nays-0.

**Sale of Surplus Equipment – 2006 Johnson Street Sweeper**

As summarized in item #14 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the surplus item 2006 Johnson Street Sweeper be sold to respective high bidder through Municibid online auction for \$5,378.

Motion carried. Ayes-4 Nays-0.

**Sewer Transfer**

As summarized in item #15 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to approve the sanitary sewer reserve capacity transfer of 6,650 GPD of Springettsbury Township Wastewater Treatment Plant flow from Willow Springs Partnership LLC to CDL Properties LLC for property at 76 Willow Springs Lane.

Motion carried. Ayes-4 Nays-0.

**Board Road Sanitary Sewer Replacement Project**

As summarized in item #16 of the manager's report, Engineer Treglia provided details on the proposed Board Road sewer improvements and indicated the desire to have completed in advance of the PennDOT Board Road improvements scheduled for 2022. Mr. Brandstedter made a motion, seconded by Mr. Inch, to except recommendation of township engineer for acceptance of low bidder, Wexcon, Inc., as contractor for the sewer main and sewer manhole replacement project on Board Road (south of May Road) for \$207,944.

Motion carried. Ayes-4 Nays-0.

**RECOGNITION OF PUBLIC PRESENT**

In accordance with Act 93 of 1998 (Sunshine Law), Ms. Wingert recognized any participants who wished to address the board.

**MANAGER'S REPORT**

Item #23 - Mr. James reported on his participation at the July 22, 2021 York County Municipal Administrators Association meeting.

Item #24 - Mr. James reported on the August 5, 2021 meeting held by York County Planning related to the multi-municipal planning tool around the proposed Interstate 83 Exit 26 (Canal Road) interchange.

**OTHER BUSINESS/REPORTS**

Mr. James reported the distribution of fire, police and engineer's monthly reports.

**APPROVAL OF VOUCHERS**

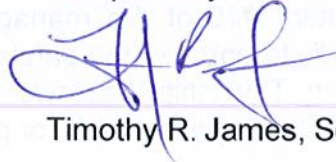
Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: July 14 – 30; July 31 – August 10, 2021.

Motion carried. Ayes-4 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 8:46 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. James', is written over a horizontal line.

Timothy R. James, Secretary

TRJ/jas