

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

April 11, 2017

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting in the public meeting room of the Manchester Township Municipal Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Tuesday, April 11, 2017, which was called to order at 7:00 p.m. by Chairperson Lisa Wingert.

PARTIES PRESENT

Lisa D. Wingert, Chairperson	Timothy R. James, Manager/Secretary
Delmar L. Hauck, Vice-Chairperson	Debra K. McCune, Assistant Secretary
Kenneth D. Wingert, Supervisor	Lawrence V. Young, Esq., Solicitor
David K. Brosend, Supervisor	B.J. Treglia, P.E., C.S. Davidson, Inc.
Rodney K. Brandstedter, Supervisor	Stewart S. Olewiler, Zoning/Planning Officer

HEARING – ZONING MAP AMENDMENT (CHRISTIAN LIFE CHURCH)

The Manchester Township Board of Supervisors held an advertised hearing for a Zoning Map Amendment relative to Christian Life Church, 1600 Roosevelt Avenue, in the public meeting room of the Manchester Township Municipal Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Tuesday, April 11, 2017, which was called to order at 7:00 p.m. by Chairperson Lisa Wingert. Ms. Wingert explained the board of supervisors is considering an amendment to the township's zoning ordinance map to rezone 19.81 acre portion of the 23.79 acre parcel currently owned by Christian Life Church of York, Inc., from the current zoning of Residential Low Density to the Office zone. Attorney Charlie Fortney, McNees Wallace, on behalf of Laughner Patel Developer LLC (authorized agent of Christian Life Church, York, Inc.) presented a request to the board of supervisors amending the township's zoning ordinance so to allow the compatible development of the property with a desired mixture of office and health, wellness, medical and care related services and facilities on the western portion of the property along Roosevelt Avenue relative to the development of the Memorial Hospital contiguous to said property. Attorney Fortney stated that Christian Life Church (i.e, Cityview Community Church) will remain unchanged on the eastern portion of the land parcel. Adrian Mueller, 1573 Scotch Drive, expressed concern with stormwater management with further development of parcel, as well as the gate from Scotch Drive to the church property being left open to invite through traffic. Kim Jordan, 1883 Brandywine Lane, questioned the possibility of screen planting for privacy with residential properties. Kathy Becker, 1525 Scotch Drive, expressed concern on the impact of nature and questioned if alternatives away from residential properties could be considered. Steve Kurtz, Christian Life Church, commented on the church's intention to continue to keep the residents informed on the process. With no further public comment, Ms. Wingert adjourned the public hearing at 7:32 p.m.

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 agenda items for any questions or concerns about non-agenda items.

APPROVAL OF MINUTES

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the meeting minutes of the March 14, 2017 meeting as submitted. Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS**Ordinance #2017-02 – Zoning Map Amendment**

As summarized in item #2 of the manager's report, Ms. Wingert reported the required public hearing for the consideration of a zoning amendment to the township's zoning ordinance was held at 7:00 p.m. on April 11, 2017. Solicitor Young reported that the proposed ordinance was advertised on March 27 and April 3, 2017. Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve Ordinance #2017-02 amending the Code of Ordinances, (Chapter 27, Subsection 27-202) to modify the Manchester Township Zoning Map to rezone land from open space Residential Low Density (RL) to the Office (O) zoning district.

Motion carried. Ayes-5 Nays-0.

York Area United Fire & Rescue Services Proposal

As summarized in item #3 of the manager's report, Mr. James reported that as a follow-up to the board's action at the January 11, 2011 meeting to authorize Manchester Township representatives to enter into discussions with representatives of the York Area United Fire and Rescue (YAUFR) Commission concerning any future interest that the Manchester Township Board of Supervisors may have in having Manchester Township join YAUFR as a participating municipality, on November 17, 2011 Ms. Wingert and Mr. James met with YAUFR Solicitor Steve Hovis, Fire Chief Robert McCoy and YAUFR Commission Members Don Bishop and Austin Hunt to continue dialogue regarding advantages and disadvantages in a potential merger of fire services with YAUFR. Ms. Wingert and Former Supervisor Young reported that they participated in a conference call with Vijay Kapoor of Public Financial Management, Inc., who had been contracted by the YAUFR Commission to develop a financial analysis and that Mr. Kapoor provided general financial information that confirmed short and long term savings with merging with YAUFR. Mr. James reported that following Manchester Township Board of Supervisors action on January 3, 2012 to request membership consideration by the YAUFR Commission, Ms. Wingert received a January 27, 2012 letter from YAUFR Chairperson William Schenck confirming acceptance of the membership consideration request. Chief McCoy presented the board with a draft memorandum of understanding between YAUFR Commission and Manchester Township in an attempt to begin negotiations for Manchester Township to become a charter member of YAUFR. On December 10, 2013 the board adopted a resolution that Manchester Township move forward with negotiations with the YAUFR Commission in an attempt to consolidate the fire service in the future. Chief McCoy reported that on April 15, 2014 the YAUFR Commission approved a proposed agreement be offered to

Manchester Township for consideration for an immediate identity transfer from Manchester Township to YAUFRR; for continued chief management services and including payroll services beginning January 1, 2015 for \$4,500 monthly (beginning in 2015). On May 13, 2014 the board authorized the chairperson or vice-chairperson to execute the YAUFRR agreement that includes an identity transfer; a continuation of chief management services, including payroll transfer effective January 2015, for \$4,500 monthly through December 1, 2017. Chief McCoy reported that a meeting was held on April 14, 2015 with union representatives of both Manchester Township Department of Fire Services and YAUFRR to begin discussions related to collective bargaining agreements. Mr. James reported that he, Supervisors Lisa Wingert and Brosend met with Chief McCoy, YAUFRR Solicitor Hovis, YAUFRR Commissioners Phan and Hunt on August 17, 2015 to discuss consolidation consideration. Mr. Brandstedter expressed concern with entering into an agreement with the unclear exit option. Mr. James stated the agreement terms would need to be negotiated. The board took action on September 8, 2015 to submit a letter of joinder consideration to the York Area United Fire and Rescue Commission. Supervisor Wingert reported work continues on merged agreement draft. Chief Hoff reported the YAUFRR Commission would like the board to consider having two representatives from Manchester Township to participate in a non-voting role in YAUFRR Commission meetings. The board representatives Ms. Wingert and Mr. Brosend indicated they would attend future YAUFRR Commission meetings. Chief Hoff reported the YAUFRR Commission would like to restart discussions with Manchester Township on the joinder process. The board by consensus directed Chairperson Wingert and Supervisor Brosend to participate in the joinder discussions with a goal of completion in 2017. Chairperson Wingert and Supervisor Brosend reported a meeting with YAUFRR Commissioners Hunt, YAUFRR Solicitor Hovis, Chief Hoff and Manager James on March 28, 2017 regarding joinder negotiations. Mr. Brandstedter made a motion, seconded by Mr. Wingert, to continue commitment to YAUFRR joinder negotiations and decline any like proposals at this time.

Motion carried. Ayes-5 Nays-0.

Emergency Bypass Pumping – DEP

As summarized in item #3 of the manager's report, Mr. James reported that Public Works Superintendent Goodyear had collected data during the 4 inch rain event on March 30-31, 2014 that indicates more information should be gathered in the City of York Sewer Interceptor from Manholes #1 to #25 via televising and cleaning. On April 8, 2014, the board authorized seeking contracted services for televising and cleaning the interceptor line for a not-to-exceed cost of \$25,000. Mr. James reported the receipt of an April 24, 2014 Notice of Violation letter from Austin Pardoe, Water Quality Specialist with the Pennsylvania Department of Environmental Protection (DEP) regarding the bypass pumping activities for the March 30-31, 2014 rain event and requesting a corrective action plan be forwarded to DEP within 30 days. Richard Resh of C.S. Davidson, Inc. distributed a draft response to Mr. Pardoe for board review and guidance. Mr. James reported DEP provided an extension of 30 additional days for a corrective action plan response (to June 24, 2014). Mr. James reported that C.S. Davidson, Inc. prepared and distributed to the board members a June 19, 2014 response document to DEP. Engineer Treglia reviewed with the board the modified corrective action response document as requested by DEP. Mr. Hauck reported the

cleaning and videoing of the interceptor line by the Manchester Township Public Works Department has recently discovered blockages created by tree roots. On September 9, 2014 the board authorized Attorney Mahoney to (1) Notify DEP that the televising of a sewer line has revealed the likely cause of the recently developed inflow and infiltration ("I&I") problem that prompted the Department to require submission of a proposed Corrective Action Plan ("CAP"), by providing a copy of the recently obtained visual evidence of a line blockage, and (2) Request that DEP reconsider its recommendations concerning revisions to the CAP as proposed by the Township, based on the apparent discovery and imminent testing and confirmation of the cause of the intermittent hydraulic overload in the sewer conveyance line, as indicated by the sewer line televising examination. Attorney Mahoney reported that he submitted a draft Consent Order and Agreement to the board for review. Mr. James reported that Attorney Mahoney submitted the draft Consent Order and Agreement to DEP in mid-December. Attorney Mahoney and Engineer Terry Myers were present to review the draft Consent Order and Agreement with the board. After discussions, the board by consensus authorized the draft Consent Order and Agreement developed by Attorney Mahoney be forwarded to DEP for consideration on February 10, 2015. Mr. James reported that Attorney Mahoney has been informed by DEP that they are not satisfied with the current status of the meter readings and have requested a technical meeting in April to possibly consider an interceptor upgrade project sooner than anticipated, but has not received confirmation on meeting date. On May 12, 2015 Mr. Mahoney updated the board of continued discussion with DEP; York City Sewer Authority and Manchester Township in executive session. Mr. James reported that 53 house inspections required within the CAP and draft Consent Order and Agreement were completed by Code Administrators, Inc. over the weekends of October 24 and 31, 2015 with a majority of illegal connections located in developments built in the 1950-1960's. Per DEP's CAP, continued house inspections are required of which the board by consensus authorized the completion of a second phase of 50 house inspections this spring. Mr. James reported that on June 27, 2016 township representatives, including Mr. Hauck, met with representatives of DEP and the City of York to discuss the impending Consent Order and Agreement for Manchester Township. Mr. James previously reported that DEP informed the township that the Consent Order and Agreement will be issued in the future and that the township and city have six (6) months to negotiate the interceptor cost distribution. Solicitor Young reported he had delivered the interceptor cost-sharing agreement authorized by the board on December 13, 2016, to the York City Sewer Authority's Solicitor Stacey MacNeal for execution. Engineer Treglia reported on design and permitting efforts and on February 28, 2017 meeting with Supervisor Hauck, Manager James and Engineers with York City Sewer Authority regarding interceptor project logistics.

Alarm Systems – YAUFRR

As summarized in item #4 of the manager's report, Solicitor Young reported a sample alarm ordinance requested by YAUFRR Solicitor Steve Hovis for review was distributed to the board and staff. Solicitor Young reported Zoning/Planning Officer Olewiler had provided him with questions in advance of the meeting and suggested tabling discussion until additional information was discovered. Solicitor Young reported further discussions and information sharing is continuing, with no board action needed at this time.

NEW BUSINESS**Sewer Transfers**

As summarized in item #5 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the sanitary sewer transfer requests:

- a) Transfer one (1) EDU (300 GPD) of Dover Township Wastewater Treatment Plant from Kinsley Equities II, L.P., to Jeffrey Henry for 2696 Mayfair Lane.
- b) Transfer one (1) EDU (300 GPD) of Dover Township Wastewater Treatment Plant from Kinsley Equities II, L.P., to Jeffrey Henry/Jeffrey Henry, Inc. for 2765 Farnham Lane.

Motion carried. Ayes-5 Nays-0.

York County Visitors Bureau

As summarized in item #6 of the manager's report, Louise Heine of the York County Visitor's Bureau was in attendance to update the board on current and future plans relative to the visitor's bureau.

Bid Award – 2017 Construction Materials/Equipment Rental Contracts

As summarized in item #7 of the manager's report, Mr. James reported that on March 28, 2017, at 10:00 am, that Assistant Secretary McCune had opened and read bids from five (5) bidders for the 2017 construction materials/equipment rental contracts (May 1, 2017-April 30, 2018). He reported that Public Works Superintendent Goodyear and Assistant Secretary Pro Tempore Olewiler as well as representatives from five (5) bidders were also present at the bid opening. He reported that the staff had prepared a bid tabulation sheet, and a March 29, 2017 memo from Mr. Goodyear to the board that contained the recommendations about the bid award for crushed aggregate; bituminous concrete; equipment rental; and placement of bituminous concrete.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to award the following bids for the 2017 construction materials/equipment rental contracts, for the period May 1, 2017 - April 30, 2018, based on the recommendations contained in Mr. Goodyear's March 29, 2017 memo:

Crushed Aggregate - Items A1-A11 (FOB Plant and FOB Job Site)-York Building Products, LLC.

Superpave Bituminous Concrete - Items B1-B8 (FOB Plant and FOB Job Site).
York Materials Group, LLC.

Furnish and Placement of Micro-surface – Item C1 – Asphalt Maintenance Solutions, LLC.

Base Repair – Item D1 and D3 – Kinsley Construction, Inc.

Motion carried. Ayes-5 Nays-0.

Bid Award – 2017 Sanitary Sewer Projects

As summarized in item #8 of the manager's report, Engineer Treglia reported the contractor bids were opened on April 5, 2017 for the sanitary sewer main replacement projects on: a) sanitary sewer line replacement project on Briargate Drive (MH #114 to

MH #115); b) sanitary sewer replacement project on Caspian Drive (MH #277 to MH #278); c) sanitary sewer replacement project on Mia Brae Drive (MH #398 to MH #399); d) sanitary sewer replacement project on Church Road (MH #172 to MH #173); and e) sanitary sewer replacement on Toronita Street (MH #345D to MH #347), with low bid submitted by E.K. Services, Inc. at a base bid of \$134,506 and that he recommends awarding the bid accordingly.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to award the bid for the sanitary sewer main replacement projects on Briargate Drive; Caspian Drive; Mia Brae Drive; Church Road; and Toronita Street to E.K. Services, Inc. at a base bid of \$134,506.

Motion carried. Ayes-5 Nays-0.

Also summarized in item #8 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the chairperson or vice-chairperson to execute an easement agreement with York Realty, LLC, related to the 2017 sewer replacement project on Toronita Street.

Motion carried. Ayes-5 Nays-0.

Fire Police Request

As summarized in item #9 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize the following fire police requests and road closure:

- a) Retroactively – April 8, 2017 beginning at 8 am until 2:00 pm at Crist Fields, Emig Road, for York Little League Opening Day event.
- b) April 29, 2017 beginning at 8:00 am until 2:00 pm at Cousler Park, 1060 Church Road, for the Manchester Township Athletic Association Opening Day event.
- c) August 5, 2017 beginning at 3 pm until conclusion at Cousler Park, 1060 Church Road, for the Manchester Township-sponsored "Summer Fun Festival" event.

Motion carried. Ayes-5 Nays-0.

Refuse Collection Contract Extension

As summarized in item #10 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Wingert, to extend the current refuse agreement for one year (through December 31, 2018) as permissible per the November 13, 2012 contracted refuse agreement with Penn Waste, Inc.

Motion carried. Ayes-5 Nays-0.

Sale of Surplus Equipment

As summarized in item #11 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brosend, to authorize the following surplus item: 2004 Dodge Durango (\$4,800) be sold to respective high bidder through Municibid online auction.

Motion carried. Ayes-5 Nays-0.

RECOGNITION OF PUBLIC PRESENT

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

EXECUTIVE SESSION (8:35 – 9:12 p.m.)

Ms. Wingert and Mr. Brosend called for an executive session to discuss the negotiations of the YAUFRR joinder process.

MANAGER'S REPORT –

- Item #13 - Per board's request Mr. James reported on current sewer rates for Sewer Districts A, B and D and the relation to the York City Interceptor Project scheduled to occur in 2018. Solicitor Young reported that board of supervisors and municipal authority has the authorization to adjust sewer rates if they so choose. Ms. Wingert suggested continuing discussions on sewer rates in future meeting in preparation for the 2018 budgeting process.
- Item #18 - Engineer Treglia reported that at the conclusion of recent biennial bridge inspections completed by Engineer Steve Malesker of C.S. Davidson, Inc., the Toronita Street bridge has developed fascia beam cracks that per PennDOT requirements will require action to repair and/or establish truck weight restrictions in the near future.
- Item #19 - Ms. Wingert reminded board members the "Statement of Financial Interest" forms as required by the Pennsylvania Public Officials and Employees Ethics Law of 1978 must be completed and filed with the municipal secretary by May 1, 2017.
- Item #25 - Mr. James introduced Nathan Lankford as Manchester Township Recreation Director effective April 10, 2017. Mr. James reported Mr. Lankford is a graduate of York College of Pennsylvania and has been employed as Wellness Director at the Southern Branch YMCA for the past seven (7) years.
- Item #27 - Jane Deamer, representing the Northeastern Senior Center reported on senior center activities and direct benefits to the senior residents of Manchester Township.

OTHER BUSINESS/REPORTS

Mr. James reported that Fire Chief McCoy had submitted the March 2017 monthly report.

Mr. James reported that Engineer Treglia had submitted the April 11, 2017 engineer's report.

APPROVAL OF VOUCHERS

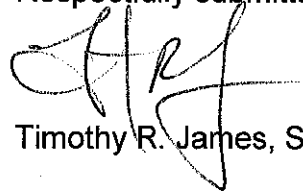
Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: March 15-21; March 22-28; March 29-April 4; April 5-11, 2017.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 9:13 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. James', written over the typed name.

Timothy R. James, Secretary

TRJ/jas