

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

November 14, 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, November 14, 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, Solicitor
David K. Brosend, Supervisor	B.J. Treglia, P.E., C.S. Davidson, Inc.
Rodney K. Brandstedter, Supervisor	Daniel Hoff, YAUFRR Fire Chief

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 October 10, 2017 meeting as submitted. Motion carried. Ayes-5 Nays-0.

RESOLUTION OF RESPECT

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt a resolution of respect for Samuel S. Grim a former township supervisor from 1986-1991, who passed away on November 13, 2017.

Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

DEP Consent Order and Agreement/Interceptor Project

As summarized in item #2 of the manager's report, Mr. James reported ongoing discussions between Attorney Mahoney and DEP counsel relative to the draft Consent Order and Agreement. Engineer Treglia reported meeting with Buchart Horn representatives (York City Sewer Authority) and DEP Water Quality Management Department on October 3, 2017 to submit the final permit required for the interceptor project.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to establish interceptor project costs financing responsibilities of Manholes #8A to #25 to the Manchester Township Municipal Authority and Manholes #8A to the York City Sewer Treatment Plant to the Manchester Township Board of Supervisors.

Motion carried. Ayes-5 Nays-0.

In another related matter, Mr. Wingert made a motion, seconded by Mr. Brandstedter, to authorize the Chairperson or Vice-Chairperson to execute the York City Interceptor project temporary construction easement agreements between affected property owners and Manchester Township.

Motion carried. Ayes-5 Nays-0.

YAUFR Joinder – Resolution #2017-16

As summarized in item #3 of the manager's report and as a follow-up to board action on September 12, 2017 to enter into a charter agreement with York Area United Fire and Rescue (YAUFR), Mr. Wingert made a motion, seconded by Mr. Brosend, to adopt Resolution #2017-16 authorizing Manchester Township to proceed with any and all acts necessary to transfer vehicles, equipment and other assignments to YAUFR and authorize the management of all fire department employees by YAUFR.

Motion carried. Ayes-5 Nays-0.

Sewer Rates

As summarized in item #4 of the manager's report, after a lengthy discussion the board tabled a decision on future sewer rates and requested additional sewer interceptor construction estimates from the engineer for further discussion on December 12, 2017.

2018 Budget

As summarized in item #5 of the manager's report, Mr. James reported that he had distributed a draft budget for discussion at the October 10, 2017 meeting; distributed a proposed budget at the November 14, 2017 meeting, for consideration of a final adoption being scheduled for the December 12, 2017 meeting.

Mr. James advised that the 2018 draft budget shows a total budget of \$14,395,930 for an increase of 2.6% from 2017. Mr. James reported that general fund budget total is \$11,163,610 or 2.2% increase from 2017. Mr. James also reported among the items that would have an impact on the 2018 General Fund budget are: a) little growth in real estate assessed value, realty transfer tax, earned income tax, local services tax, and mercantile/business privilege tax revenues combined with no increase in uniform construction code fees because of a slowdown in residential property sales and construction; b) replacement of the Toronita Street Bridge; c) increased Chesapeake Bay Pollutant Reduction Plan requirements from DEP and d) capital project obligations. Mr. James stated that a deficit exists in balancing the budget and recommended the board may want to consider utilization of fund balance if needed.

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize that the proposed 2018 budgets be advertised for adoption at the December 12, 2017 meeting.

Motion carried. Ayes-5 Nays-0.

Traffic Calming Policy

As summarized in item #6 of the manager's report, as a follow-up discussion from the October 10, 2017 meeting, Mr. Brosend made a motion, seconded by Mr. Wingert, to adopt a resolution establishing a traffic calming policy to enable consistent review and response to speeding and traffic concerns.

Motion carried. Ayes-5 Nays-0.

Resolution #2017-17 – Zoning Hearing Fee Schedule

As summarized in item #7 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt Resolution #2017-17 establishing the zoning hearing board application fees be increased from \$600 to \$650 per application effective November 16, 2017.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS

Heritage Business Park LP – Review #2017-05 – Preliminary Land Development Plan

Chris Dellinger of Herbert, Rowland & Grubic, Inc. representing Heritage Business Park was present to present the preliminary land development plan for an 110,400 sq. ft. industrial building on 10.007 acres located along the north side of the 200 block of Shady Lane. Mr. Dellinger reported concerns over driver clear sight triangle in relationship to the fence around the perimeter of the stormwater facility.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the following waivers:

- W1) From Stormwater Management Ordinance section 26-133.A for reduced volume requirements.
- W2) From Stormwater Management Ordinance section 26-138.C.1.C to permit the side slopes of a stormwater basin to exceed 4 horizontal to 1 vertical.
- W3) From Stormwater Management Ordinance section 26-131.K to permit a stormwater management basin be constructed within the building setback.
- W4) From Stormwater Management Ordinance section 22-702 of the subdivision and land development ordinance for a reduced center leg of the clear sight triangle of 60 feet vs. the required 100 feet.

Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the Heritage Business Park LP, Review #2017-05 preliminary land development plan.

Motion carried. Ayes-5 Nays-0.

Cityview Office Park – Final Subdivision – Review #2017-08

Douglas Gosik of Williams Site Civil and Meyur Patel, Developer, were present to present a final 2 lot subdivision creating a 3.04 acre parcel from a 23.3 acre parcel located along the east side of the 1600 block of Roosevelt Avenue. Mr. Gosik stated the plan is the same as the preliminary plan recommended to the board on September 12, 2017. Discussion occurred regarding the concern of a waiver request associated with the requirement to have a four (4) foot fence around a stormwater facility that will hold three (3) feet of water for more than two (2) hours. Mr. Gosik explained the stormwater facility is currently installed and that a utility right of way would restrict the construction of a fence structure around the stormwater facility. Solicitor Young requested easement restriction language from the utility be placed with the plan.

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the following waiver:

- W3) From Chapter 26-138.3.A.(7) of the Manchester Township Subdivision and Land Development Ordinance for the requirement to have a four (4) foot high fence around a stormwater management facility that will hold three (3) feet of water for more than two (2) hours.

Motion carried. Ayes-4 Nays-1 (Brosend opposed).

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the Cityview Office Park final 2 lot subdivision, Review #2017-08.

Motion carried. Ayes-4 Nays-0 (Brosend abstained).

Cityview Office Park – Lot 2 – Final Land Development – Review #2017-09

Douglas Gosik of Williams Site Civil and Meyur Patel, Developer, were present to present the final land development plan for a 17,000 square foot office building located on a 3.04 acre lot along the east side of the 1600 block of Roosevelt Avenue. Mr. Gosik stated the plan is the same as the preliminary plan recommended to the board on September 12, 2017.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the following waiver:

- W3) From Chapter 26-138.3.A.(7) of the Manchester Township Subdivision and Land Development Ordinance for the requirement to have a four (4) foot high fence around a stormwater management facility that will hold three (3) feet of water for more than two (2) hours.

Motion carried. Ayes-4 Nays-1 (Brosend opposed).

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the Cityview Office Park Lot-2, Review #2017-09 final land development plan.

Motion carried. Ayes-4 Nays-0 (Brosend abstained).

Rezoning Request – J.G. Leasing, Inc.

As summarized in item #9 of the manager’s report, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to set a public hearing for the proposed amendment to the township zoning ordinance map for rezoning request for the land on the northeastern corner of Church Road and Roosevelt Avenue intersection from Residential Low Density (RL) to Office (O), for February 13, 2018 at 6:30 p.m.

Motion carried. Ayes-5 Nays-0.

2018-2020 Contract Mowing Services

As summarized in item #10 of the manager’s report, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to award the bid for the 2018-2020 contracted mowing services to McCabe’s Land and Lawn, York for \$22,250 per year.

Motion carried. Ayes-5 Nays-0.

York County Joint Fuel Purchasing

As summarized in item #11 of the manager’s report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize Manchester Township’s participation in the intergovernmental joint bidding for bulk delivery fuel with the County of York for the 2018/2019 contract year.

Motion carried. Ayes-5 Nays-0.

York City Sewer – Intermunicipal Agreement

As summarized in item #12 of the manager’s report, Mr. James reported that there has been no further discussion regarding the York City Sewer – Intermunicipal Agreement since the last board of supervisors meeting.

Fire Police Authorization

As summarized in item #13 of the manager’s report, Mr. Hauck made a motion, seconded by Mr. Brosend, to approve the following approval for the Alert Fire Company Fire Police to provide non-emergency traffic control assistance with the following:

- a) Retroactive – November 4, 2017 for intersection control assistance for Vice-Presidential visit to Manchester Township.

Motion carried. Ayes-5 Nays-0.

Act 47 of 2017 – Mini Casino Legislation

As summarized in item #14 of the manager's report, Mr. James reported on recent state legislation to offer limited mini-casino licenses to which municipalities throughout the Commonwealth have the opportunity to "opt-out" of said facilities being placed within municipal boundaries. Solicitor Young stated no action by the board with the "opting-out" process, does not guarantee a municipality would receive a mini-casino facility, but does give license holders the opportunity to inquire with municipalities. Jeff Keller, 610 Olmstead Way, expressed concern with increased crime with mini-casino being placed in Manchester Township. The board by consensus chose not to "opt-out" at this time.

Sewer Transfer/Acquisition

As summarized in item #15 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize the board chairperson or vice-chairperson to execute the following acquisitions/transfers of reserved sewer capacity:

- a) Transfer of one (1) EDU (350 GPD) of York City Wastewater Treatment Plant from Manchester Township to Rocio Palacios, Central Avenue (Map: 06; Parcel: 0007).
- b) Transfer of one (1) EDU (350 GPD) of York City Wastewater Treatment Plant from Manchester Township to Rocio Palacios, Central Avenue (Map: 06; Parcel: 0009A).

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.

Dan and Dianne Robison, 2681 Oberlin Drive, were present to express concern over stormwater issues with a neighbor. Mr. Robison provided photos and descriptions on their concern and requested the board review the matter for assistance. Ms. Wingert stated the board would review the matter and provide a response at the December 12, 2017 meeting.

Jeff Keller, 610 Olmstead Way, was present to express concern about police services within the Penn State Estates development. Mr. Brandstedter stated he would check with Northern York County Regional Police Department and reply to Mr. Keller.

MANAGER'S REPORT –

- Item #22 - Engineer Treglia and Mr. James provided an update to the Toronita Street bridge project.
- Item #32 - Mr. Brandstedter made a motion, seconded by Mr. Wingert, to authorize the Chairperson or Vice-Chairperson to execute the service agreement with Garrison Environmental Law Practice (Attorney John Mahoney) to complete the Consent Order and Agreement with the Pennsylvania Department of Environmental Protection.

Motion carried. Ayes-5 Nays-0.

EXECUTIVE SESSION (9:22 p.m. – 9:49 p.m.)

The board convened into an executive session for discussions relative to the Manchester Township Career Fire Fighters Association labor arbitration.

OTHER BUSINESS/REPORTS

Mr. James reported that Fire Chief Hoff had submitted the October 2017 monthly report.

Mr. James reported that Engineer Treglia had submitted the November 14, 2017 engineer's report.

APPROVAL OF VOUCHERS

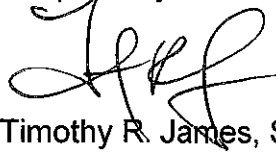
Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers Lists: October 11-17; October 18-31; and November 1-14, 2017.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 9:50 p.m.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas

