

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

December 12, 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, December 12, 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, YAUFR Fire Chief
	Stewart S. Olewiler, 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 agenda items for any questions or concerns about non-agenda items.

APPROVAL OF MINUTES

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

SERVICE PLAQUE RECOGNITION

Ms. Wingert presented Supervisor's Hauck and Ken Wingert with service recognition plaques for their time and effort to serving the residents of Manchester Township. She advised Mr. Hauck has given 11 years and Mr. Wingert has given 6 years of service to Manchester Township as a supervisor.

RECOGNITION OF SERVICE

Chief Hoff and Battalion Chief Madzellan presented accommodations for lifesaving actions in the line of duty on emergency calls in March and September 2017. Those receiving recognition include Firefighters Matthew Brown, Steven Vrabel, Richard Godfrey, Anthony Sawyer, Todd Kroh, Chris Mowry and Captain Richard Brocius.

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 the update cost estimate for the

township-owned portion of the interceptor project would be \$3.54 million, five (5) percent higher than originally reported.

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize legal counsel and staff to finalize the latest draft of the Consent Order and Agreement with DEP.

Motion carried. Ayes-5 Nays-0.

Sewer Rates

As summarized in item #3 of the manager's report, after a lengthy discussion on future sewer rates and reported updated information from Engineer Treglia related to the sewer interceptor construction estimates, Mr. Brandstedter made a motion, seconded by Mr. Wingert, to authorize solicitor to advertise an ordinance to increase all residential sewer rates to \$95.00 per quarter and eliminate the \$4.00 garbage disposal fee; as well as increase all non-residential rates to \$2.96 per gallon, effective July 1, 2018.

Motion carried. Ayes-5 Nays-0.

Resolution 2017-19 - 2018 Budget

As summarized in item #4 of the manager's report, Mr. James reported that the proposed 2018 budgets for all funds had been on public display since they were introduced at the November 14, 2017 meeting and a summary was advertised in the legal classified section of the York Newspapers on November 18, 2017.

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. Wingert, to adopt Resolution #2017-19 that adopts the 2018 budgets and establishes a 2018 general fund real estate tax rate of one mill (1.00) of taxable assessed value, and all other tax rates and service fees as were introduced at the November 14, 2017 meeting and advertised on November 18, 2017.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS

Welbourne Reserve – Review #2017-06 – Preliminary Subdivision Plan

Trey Elrod of Gordon L. Brown & Associates and Greg Hill of Keystone Custom Homes were present to present the preliminary subdivision plan for 125 lot open space

development on 142.91 acres located along the west side of the 3800 block of Susquehanna Trail. Mr. Elrod and Mr. Hill reported that the plan shows the cartway streets within the development at 28 feet wide instead of the normal 32 feet. Mr. Elrod reported parking restrictions on one side of the street will allow for the reduced width.

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

- W1) From Chapter 26, Section 26-131.11, the Manchester Township Stormwater Management Ordinance, for the requirement of stormwater management facilities meeting building setback requirements.
- W2) From Section 22-701.28 of the Manchester Township Subdivision and Land Development Ordinance to permit a cartway width of 28 feet rather than 32 feet within a 50 foot right of way for the interior streets of the development.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the Welbourne Reserve, Review #2017-06 preliminary subdivision plan.

Motion carried. Ayes-5 Nays-0.

Heritage Business Park LP – 200 Shady Lane - Review #2017-10 – Final 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 that the plan has been adjusted per township traffic engineer's comments to cut the slope down to allow for better sight distance at the driveway to the facility.

Mr. Hauck made a motion, seconded by Mr. Brosend, 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. Brosend, to approve the Heritage Business Park LP, Review #2017-10 final land development plan.

Motion carried. Ayes-5 Nays-0.

York City Sewer – Intermunicipal Agreement

As summarized in item #6 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.

York County Solid Waste Authority – Temporary Waste Acceptance Hours

As summarized in item #7 of the manager's report, after a lengthy discussion the board authorized Mr. James to inform York County Solid Waste Authority that a request to extend hauler acceptance hours due to current facility upgrades will be granted effective immediately for six (6) months from 6:00 a.m. to 9:00 p.m.

CPA Appointment – 2017 Financial Statements

As summarized in item #8 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to appoint Kochenour, Earnest, Smyser and Burg, CPA to complete the township audit/financial statements for 2017.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2018 Construction Materials/Equipment Rental

As summarized in item #9 of the manager's report, Mr. Wingert made a motion, seconded by Mr. Brandstedter, to authorize the manager, engineer, and public works superintendent to prepare specifications using prevailing wage rates and advertise for bids for contracts for supplying construction materials and equipment rental for the period May 1, 2018 until April 30, 2019 with the bid opening by the staff to be scheduled prior to the regular April 10, 2018 board meeting.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2018 Capital Projects

As summarized in item #10 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the manager, public works superintendent, and engineer to prepare the design, specifications, bidding documents and advertisements for the following capital projects which were included in the combined sewer operating and capital reserve funds.

Motion carried. Ayes-5 Nays-0.

Resolution #2017-20 – Street Adoptions

As summarized in item #11 of the manager's report, Mr. James presented a list of streets that had been requested for adoption as Manchester Township street rights-of-way by the respective developer. He reported that Engineer Treglia and Public Works Superintendent Goodyear had inspected all of the streets and recommended that they be adopted subject to posting of adequate security to cover any identified deficiencies; the construction of wearing surfaces; and the eighteen (18) month maintenance security.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt Resolution #2017-20 which adopts 0.26 miles of the following streets as Manchester Township street rights-of-way subject to posting of adequate security to cover any identified deficiencies; construction of wearing surfaces; and the eighteen (18) month maintenance security.

Hepplewhite Estates – Phase V, Section A

- 1) Wetherburn Drive – 647.71 feet (0.12 miles)
- 2) Chadbourne Drive – 386.64 feet (0.07 miles)
- 3) Bedford Road – 351.14 feet (0.07 miles)

Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the solicitor to file the petition for the adoption of the Hepplewhite Estates, Phase V, Section A, streets with the York County Clerk of Courts.

Motion carried. Ayes-5 Nays-0.

Sewer Easement – 857 Olivia Court

As summarized in item #12 of the manager's report, Luke Zimmerman, 857 Olivia Court, was present to present for board consideration a request to place a fence on his property within the twenty (20) feet sewer easement. Solicitor Young reported the agreement that Mr. Zimmerman's lawyer submitted was nearly identical to an agreement the board approved on October 10, 2017.

Mr. Brandstedter made a motion, seconded by Mr. Wingert, to authorize the chairperson or vice-chairperson to execute an easement agreement allowing the installation of a fence within a township sewer easement at 857 Olivia Court, notwithstanding any sanitary sewer maintenance or repair costs that may be adversely impacted by the fence installation within the easement will be the expense of the homeowner; additionally the agreement should be recorded and filed with the county and associated filing costs should be the responsibility of the homeowner.

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. Solicitor Young provided legal counsel to the stormwater matter. Ms. Wingert suggested the neighbors develop a compromise.

Jeff Keller, 610 Olmstead Way, was present to express concern about police services within the Penn State Estates development.

MANAGER'S REPORT –

- Item #14 - Mr. James reported the zoning hearing board approved a special exception for a changeable electronic variable message sign at Cousler Park. Mr. Olewiler reported that the zoning hearing board was very complimentary of the associated presentation.
- Item #24 - Mr. James reminded the board of the organizational meeting on January 2, 2018 at 7:00 p.m.

OTHER BUSINESS/REPORTS

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

Mr. James reported that Engineer Treglia had submitted the December 12, 2017 engineer's report.

Solicitor Young reported on correspondence regarding House Bill 1620 that could strip local municipalities control over zoning and fees for the use of municipal rights-of-way for wireless tower and antenna build-outs. Mr. Brandstedter made a motion, seconded by Mr. Hauck, to adopt Resolution #2017-20, to express Manchester Township's opposition to House Bill 1620, entitled the "Wireless Infrastructure Deployment Bill". Motion carried. Ayes-5 Nays-0.

Solicitor Young presented a draft letter regarding the maintenance of the stormwater facility on Hambiltonian Way that could be distributed to residents in the Ridings Development. The board by consensus authorized the staff to distribute said letters to affected homeowners.

APPROVAL OF VOUCHERS

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: November 15-28; and November 29-December 12, 2017.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 9:12 p.m.

Respectfully submitted,



Timothy R. James, Secretary