

# MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

December 10, 2019

## 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 10, 2019, which was called to order at 7:00 p.m. by Chairperson Wingert.

## PARTIES PRESENT

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

Timothy R. James, Manager/Secretary  
Danelle L. Goodwin, Asst. Secretary  
Stewart S. Olewiler, III, Zoning/Planning  
Lawrence V. Young, Solicitor  
B.J. Treglia, P.E., C.S. Davidson, Inc.  
Daniel Hoff, YAUFRR Fire Chief

## SERVICE RECOGNITION

Chairperson Wingert made a presentation expressing appreciation to Mr. Brosend for fourteen (14) years of public service to Manchester Township, including six (6) years as a township supervisor.

## PUBLIC COMMENT

Chairperson Wingert called the regularly scheduled supervisors meeting to order and 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. Brandstedter made a motion, seconded by Ms. Brennan, to approve the meeting minutes of November 12, 2019 as submitted.

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

## 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.

### Assistance Animals

As summarized in item #3 of the manager's report, as a follow-up to the August 13, 2019 board meeting relative to concerns brought forth by Jessica Maul, 586 Norman

Road, regarding the existing zoning ordinances (27-105; 27-1117.3; 27-1118.4) that prohibit the keeping of potbellied pigs in Residential Medium (RM) Density zones in Manchester Township. Ms. Maul had previously requested the supervisors consider an update to the current zoning ordinance to consider allowing potbellied pigs in residential areas. Solicitor Young per previous board guidance presented a draft ordinance for assistance animals based on federal standards. At the November 14, 2019 Board of Supervisors meeting the board authorized the Solicitor to advertise a proposed ordinance that would permit the establishment of the process for the registration of assistance animals by resolution. Solicitor Young distributed an animal assistance registration application for board consideration. Ms. Brennan made a motion, seconded by Mr. Brandstedter, to authorize the animal assistance registration application for use by township staff effective immediately.

Motion carried. Ayes-5 Nays-0.

#### **2020 Budget – Resolution #2019-22**

As summarized in item #4 of the manager's report, Mr. James reported that the proposed 2020 budgets for all funds had been on public display since they were introduced at the November 12, 2019 meeting and a summary was advertised in the legal classified section of the York Newspapers on November 15, 2019.

Mr. James advised that the 2020 draft budget shows a total budget of \$15,752,230 or an increase of \$521,400 from 2019. Mr. James reported that general fund budget total is \$12,197,340 or 3.63% increase from 2019. Mr. James also reported among the items that would have an impact on the 2020 General Fund budget are: a) increase in fire budget due to lack of revenues versus 2019; b) capital expenditures for municipal complex safety and flooring upgrades; and c) increase sewer costs. Mr. James reported that the draft budget shows revenue increases in mercantile tax fees. Mr. James reported the draft budget maintains 2019 tax levels. Mr. James reminded the board that per Second Class Township Code, a 2020 budget adoption must occur by December 31, 2019.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to adopt Resolution #2019-22 that adopts the 2020 budgets and establishes a 2020 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 12, 2019 meeting and advertised on November 15, 2019.

Motion carried. Ayes-5 Nays-0.

#### **Ordinance #2019-04 – PMRS Pension Plan Language Clarification**

As summarized in item #5 of the manager's report, Solicitor Young reported the proposed ordinance was advertised on November 25, 2019. Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt an ordinance to modify ambiguous language in Section 2.1 definition of compensation, not to include any lump sum

payouts in the final year calculation of Pennsylvania Municipal Retirement System (PMRS) municipal pension plans.

Motion carried. Ayes-5 Nays-0.

### **NEW BUSINESS**

#### **George Street Investors, LLC – Reverse Subdivision – Review #2019-02**

John Luciani of First Capital Engineering, was present to present a final reverse subdivision of seven (7) lots into one (1) along the east side of the 1500 block of North George Street in a Commercial (C) zoning district. Mr. Luciani stated that the plan is to join seven (7) parcels of land together to create one (1) large parcel where a new Taco Bell and small building for retail will be proposed.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the proposed final reverse subdivision plan, George Street Investors, LLC, Review #2019- subject to completion of open items.

Motion carried. Ayes-5 Nays-0.

#### **Core 5 Industrial Partners, LLC – Codorus Stone – Preliminary Land Development Plan (Review #2019-04)**

Attorney Charles Courtney of McNeese Wallace; Craig Mellott of Traffic Planning Design; and Brian Reisinger of Core 5 Industrial Partners were present to present the preliminary land development plan and preliminary subdivision plan to construct warehouses on 110 acres in Manchester Township located on the north side of Mundis Race Road in both an Industrial (I) and Heavy Industrial (HI) zoning districts. After a lengthy discussion, the board expressed concern with the project, specifically with the traffic movements associated with the proposed land development.

Ms. Wingert made a motion, seconded by Ms. Brennan, to approve the following waivers:

- W1) SALDO Section 22-401.1.C (1) – Plan scale. The applicant is requesting a waiver of the maximum plan scale of 1"=100' to allow a plan scale of 1"=200'.
- W2) SALDO Section 22-701.3 – Existing street widening. The applicant is requesting a waiver for both sides of the Mundis Race Road street frontage.
- W3) SALDO Section 22-703.2 – Curbs. The applicant is requesting a waiver for both sides of the Mundis Race Road street frontage.
- W4) SWMO Section 26-138C.1.c – Maximum detention of retention side slopes of 4:1. The applicant is proposing 3:1 side slopes with adequate slope stabilization and fencing.

Motion carried. Ayes-3 Nays-2 (Brandstedter and Brosend opposed).

Ms. Wingert made a motion, seconded by Mr. Inch, to approve the proposed preliminary land development plan, Core 5 Industrial Partners, LLC – Codorus Stone, Review #2019-04 subject to the completion of open items.

Motion carried. Ayes-3 Nays-2 (Brandstedter and Brosend opposed).

**RAK Church Road, LLC – Joindure/Subdivision – Review #2019-14**

Scott DeBell of Site Design Concepts and Mike Jeffers of Kinsley Properties, were present to present a final joindure/subdivision plan of nine (9) existing lots into two (2) lots on 45.84 acres of land located at 405 Church Road in an Industrial (I) zoning district. Mr. DeBell stated the proposed joindure/subdivision plan also includes the relocation of West Crone Road.

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

- W1) From Section 28-131.K to permit storm water management facilities to be located within the building setback lines of a property.
- W2) A waiver from Section 22-404 to permit scale of main drawings to be greater than 1" = 100' (overall plan as 1" = 120')

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the proposed final joindure/subdivision plan, RAK Church Road, LLC, Review #2019-14 subject to completion of open items.

Motion carried. Ayes-5 Nays-0.

**RAK Church Road, LLC – PennDOT (TE-160) Traffic Signal Application – Res. #2019-23**

As summarized in item #7 of the manager's report in coordination with recommendation by Township Traffic Engineer Henise for signal improvements at Susquehanna Trail North and Farmbrook Lane, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt a resolution to authorize the township staff to execute the PennDOT TE-160 forms relative to the traffic signal timing and installation project.

Motion carried. Ayes-5 Nays-0.

**CPA Appointment – 2019 Financial Statements**

As summarized in item #8 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to appoint Kochenour, Earnest, Smyser and Burg, CPA to complete the township audit/financial statements for 2019.

Motion carried. Ayes-5 Nays-0.

**Bid Authorization – 2020 Construction Materials/Equipment Rental**

As summarized in item #9 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, 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, 2020 until April 30, 2021 with the bid opening by the staff to be scheduled prior to the regular April 14, 2020 board meeting.

Motion carried. Ayes-5 Nays-0.

**Bid Authorization – 2020 Budget Capital Projects**

As summarized in item #10 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Inch, to authorize the manager, public works superintendent, and engineer to prepare the design, specifications, bidding documents and advertisements for capital projects which were included in the 2020 budget combined sewer operating; capital reserve and unreserved funds.

Motion carried. Ayes-5 Nays-0.

**Resolution #2019-23 – NYCRPD – North Codorus Township Joindre**

As summarized in item #11 of the manager's report, Mr. Brandstedter as Northern York County Regional Police Commission (NYCRPC) Representative and Solicitor Young reported that the NYCRPC took November 19, 2019 action to accept North Codorus Township as a participant member of NYCRPC effective January 1, 2020. Mr. Brandstedter reported NYCRPC Solicitor Rudolf stated action to consider a new participant member would not require the charter agreement to be opened or revised. No motion was offered, no action was taken.

**House Bills 432 & 1459 – Post-Traumatic Stress Injury**

As summarized in item #12 of the manager's report, Mr. James reported on proposed House Bills 432 and 1459, related to post-traumatic stress injury in First Responders.

**York Water Co. – Hydrant Installation Request**

As summarized in item #13 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to authorize the approval of the installation of two (2) new public fire hydrants in conjunction with the construction of Phase III of Eagles View Development at the southwestern corner of Rishel Drive / Springhouse Lane and northwestern corner of Lloyds Lane / Sinking Springs Lane.

Motion carried. Ayes-5 Nays-0.

**Sewer Capacity Transfer**

As summarized in item #14 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Inch, to authorize the board chairperson or vice-chairperson to execute the following transfer of reserved sewer capacity:

- a) Transfer 1,950 GPD of Springettsbury Township Sewer Treatment Plant from Fox Land Associates, Ltd. to Bradley Limited Realty Limited Partnership; for properties at 3490, 3500 and 3510 Board Road.

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.

Rebecca Everard, 605 Harvest Drive, and Clyde Snyder, 602 Leaf Street, were in attendance to express concerns with speeding in the Brandywine Crossings Development. After a lengthy discussion, the board by consensus directed staff to erect larger stop signs and mount permanent speed displays.

**MANAGER'S REPORT**

Item #28 – Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt Resolution #2019-24 to authorize the Township Secretary and/or Assistant Secretary to dispose of records in accordance with Municipal Records Act per submitted detailed list.

Motion carried. Ayes-5 Nays-0.

Item #29 - Mr. Inch made a motion, seconded by Mr. Brandstedter, to adopt Resolution #2019-25 establishing social media policy for inclusion in the Manchester Township personnel manual.

Motion carried. Ayes-5 Nays-0.

Item #30 - In coordination with recommendation by Township Traffic Engineer Henise for signal improvements at North George Street and Masonic Drive; North George Street and Skyview Drive; and North George Street and I-83 Exit 22 Northbound Ramp, Mr. Brandstedter made a motion, seconded by Mr. Inch, to adopt Resolution #2019-26 to authorize the township staff to execute the PennDOT TE-160 forms relative to the traffic signal timing and installation projects.

Motion carried. Ayes-5 Nays-0.

Item #31 - Ms. Wingert made a motion, seconded by Ms. Brennan, to adopt Resolution #2019-27 to authorize the township staff to execute the PennDOT TE-160 forms relative to the traffic signal timing and installation project for intersection at Busser and Emig Roads.

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

**EXECUTIVE SESSION**

No executive session was held.

**OTHER BUSINESS/REPORTS**

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

By consensus, the board suggested all board members contact township manager in advance of visiting the municipal office.

**APPROVAL OF VOUCHERS**

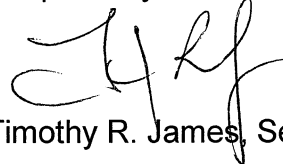
Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: November 13 - 14; November 15; November 16 - 26; and November 27 – December 10, 2019.

Motion carried. Ayes-5 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 9:05 p.m.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas