

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

February 11, 2020

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, February 11, 2020, which was called to order at 7:00 p.m. by Vice-Chairperson Brandstedter.

PARTIES PRESENT

Lisa D. Wingert, Chairperson (via internet)	Timothy R. James, Manager/Secretary
Rodney Brandstedter, Vice-Chair	Danelle L. Goodwin, Asst. Secretary
Beth Brennan, Supervisor	Stewart S. Olewiler, III, Zoning/Planning
John W. Inch, Jr., Supervisor	Lawrence V. Young, Solicitor
Debra K. McCune, Supervisor	Daniel Hoff, YAUFRA Fire Chief

PUBLIC COMMENT

Vice-Chairperson Brandstedter invited the public to ask questions or offer comments about any item on the agenda as the board considers each item. He 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

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the meeting minutes of the January 6, 2020 Reorganization and regular meetings as submitted.

Motion carried. Ayes-3 Nays-0. (Brandstedter 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. Zoning/Planning Officer Olewiler stated it was determined that changes to the zoning ordinance had to be made by an ordinance. Solicitor Young reported the proposed ordinance was recommended for approval by both the township and county planning commissions. Ms. McCune made a motion, seconded by Mr. Inch, to authorize the Solicitor to advertise a proposed ordinance that would update the current township zoning ordinance to include assistance animals in residential zones pursuant to the Federal Fair Housing Act.

Motion carried. Ayes-4 Nays-0.

Manchester Township Pension Plan Language Updates

As summarized in item #4 of the manager's report, after a discussion regarding municipal pension plan updates to reflect IRS tax-qualified documents Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Solicitor advertise a proposed ordinance that would update all necessary pension documents through the Pennsylvania Municipal Retirement System to current IRS-tax qualified documents and change non-uniformed plans to include in-service distributions of pension benefit ending contributions with continuing employment after normal retirement age.

Motion carried. Ayes-4 Nays-0.

NEW BUSINESS

Core 5 Industrial Partners, LLC – Codorus Quarry - Preliminary Subdivision Plan – Review #2019-03

James Strong of McNees & Wallace, and Jeramy Bittinger of Snyder, Secary & Associates, were present to present a preliminary three (3) lots into eight (8) lots subdivision plan to reconfigure lot lines of 333 acres (110 acres in Manchester Township) for Core 5 Industrial Partners, LLC – Codorus Quarry, located on Mundis Race Road in both the Industrial (I) and Heavy Industrial (HI) zoning districts. Mr. Strong provided background on the proposed subdivision plan and explained the associated requested waivers were the same approved by the board of supervisors on December 10, 2019 with the approval of the preliminary land development plan.

After a lengthy discussion, Ms. Brennan made a motion, seconded by Mr. Inch, to approve the following waivers:

- W1) The SALDO requirement of the maximum plan scale of 1"=100', the applicant is requesting the use of a plan scale of 1'=200' (Section 22-401.C.1.).
- W2) The SALDO requirement of existing street widening, the applicant is requesting a waiver for Mundis Race Road widening due to claim that the existing road was built to handle truck traffic (Section 22-701.3).
- W3) The SALDO requirement of concrete curb construction, the applicant is requesting a waiver for curbing construction along Mundis Race Road frontage (Section 22-703.2).
- W4) The SALDO requirement of concrete sidewalk construction, the applicant is requesting a waiver for sidewalk construction along Mundis Race Road frontage (Section 22-709).

Motion carried. Ayes-3 Nays-1 (Brandstedter opposed).

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the proposed preliminary subdivision plan for Core 5 Industrial Partners, LLC – Codorus Quarry, Review #2019-03, subject to the completion of open items.

Motion carried. Ayes-3 Nays-1 (Brandstedter opposed).

Mr. Strong also presented a proposed intermunicipal agreement between East Manchester Township and Manchester Township for the acceptance of sanitary sewer flows from the Core 5 Industrial Partners, LLC – Codorus Quarry proposed project. Solicitor Young stated that the proposed intermunicipal agreement has been vetted by municipal staff, township engineer and legal representatives. Ms. McCune made a motion, seconded by Ms. Brennan, to adopt Resolution #2020-08 authorizing the Chairperson or Vice-Chairperson to execute the intermunicipal agreement with East Manchester Township accepting sanitary sewer flows from East Manchester Township for the Core 5 Industrial Partners, LLC – Codorus Quarry proposed project.

Motion carried. Ayes-4 Nays-0.

2020 Street Construction Schedule

As summarized in item #5 of the manager's report, Mr. James reviewed the proposed 2020 street construction and resurfacing projects.

Mr. James explained the number of actual projects which will be completed during the construction season will be affected by: a) prevailing wage rate applicability; b) any price increases in bituminous materials and stone which may occur at the annual contract bid opening; c) delays in resolving right-of-way or utility pole relocation issues; d) the amount spent for winter maintenance materials and equipment rental; and, e) the amount of Highway Aid funds which are actually received from PennDOT.

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the following list of streets identified in item #5 of the manager's report as the 2020 Highway Aid construction projects, and to authorize the staff to notify PennDOT about which projects will be funded by the 2020 Highway Aid (Liquid Fuels) Fund:

a)	Flour Mill Rd.	Blackbridge Rd. – cul-de-sac	Construction	\$134,919
b)	N. Point Dr.	Masonic Dr. – Blackbridge Rd.	Construction	\$149,600
c)	Interchange Pl.	Church Rd. – cul-de-sac	Construction	\$ 70,556
d)	Aslan Dr.	Greenbriar Rd. – Willow Ridge Rd.	Construction	\$163,689
e)	Aslan Ct.	Aslan Dr. – Aslan Dr.	Construction	\$ 73,378
f)	Brookfield Dr.	Sinking Springs Ln. – cul-de-sac	Construction	\$ 46,567
g)	Phillip Ct.	Aslan Dr. – cul-de-sac	Construction	\$ 16,933
h)	Keystone Dr.	N. George St. – Clearsprings Blvd.	Construction	\$ 13,229
i)	N. Circle Blvd.	Meadowbrook Blvd. – end	Construction	\$ 23,019

Motion carried. Ayes-4 Nays-0.

Resolution #2020-06 – Public Works Department Equipment Rental Rates

As summarized in item #6 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to adopt a resolution that establishes the 2020 equipment rental and labor rates for use of township-owned equipment or personnel by other municipalities or parties with the rates and descriptions being consistent with the current Federal Emergency Management Agency (FEMA) approved hourly rates for public works equipment.

Motion carried. Ayes-4 Nays-0.

Crist Fields

As summarized in item #7 of the manager's report, Solicitor Young and Mr. James provided updates to Crist Fields as it related to potential property deed transfer. Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Solicitor to develop a draft agreement for future consideration of deed transfer to township.

Motion carried. Ayes-4 Nays-0.

Road Closure Authorization

As summarized in item #8 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the closure of Brandywine Lane/Kayla Boulevard from Stillmeadow Lane to Greenbriar Road on Saturday, October 17, 2020 from 8:45 a.m. to 10:30 a.m. for a 5K-road race sponsored by Joyful Noise Preschool/Zion Lutheran Church. Mr. Brandstedter noted that he was a member of this church but had no involvement with this activity.

Motion carried. Ayes-4 Nays-0.

Commercial Vehicle Parking in Residential Areas

As summarized in item #9 of the manager's report, Mr. James reported receiving concerns of commercial vehicle parking on residential streets. Mr. Brandstedter provided details of a commercial parking concern on Timberlane Drive. Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Solicitor to draft a letter to homeowner of commercial parking expressing safety concerns.

Motion carried. Ayes-4 Nays-0.

Comcast Franchise Agreement

As summarized in item #10 of the manager's report, Mr. James reported that the Cohen Law Group has completed their negotiations with Comcast of Southeastern Pennsylvania, LLC on behalf of Manchester Township and six (6) other York County municipalities. Ms. Brennan made a motion, seconded by Ms. McCune, to set a public hearing for March 10, 2020 and authorize the advertisement of a proposed ordinance for a new ten (10) year cable franchise agreement (2021-2030) between Comcast of Southeastern Pennsylvania, LLC and Manchester Township

Motion carried. Ayes-4 Nays-0.

Sewer Easement Agreement

As summarized in item #11 of the manager's report, Engineer Treglia provided a background of the proposed sewer easement agreement in the Shady Lane and Mia Brae Drive area. Mr. Treglia reported that the Manchester Township Municipal Authority had taken action on January 23, 2020 to approve the proposed agreement. Ms. McCune made a motion, seconded by Mr. Inch, to authorize the Chairperson or Vice-Chairperson to execute the assignment of sanitary sewer easement agreement between property owners - Heritage Business Park, LP, Glenlyn Enterprises and Vivian Quigley, and Manchester Township Municipal Authority and Manchester Township, for sanitary sewer line located in part in the Shady Lane and Mia Brae Drive area.

Motion carried. Ayes-4 Nays-0.

RECOGNITION OF PUBLIC PRESENT

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

Kameron Holtzapple, Aiden Aughenbaugh and Matthew Crouthamel of Cub Scout Pack 150, were in attendance to observe the meeting as a requirement. Drew Hershner, from Boy Scout Troop 150, was also in attendance to observe per scout requirement.

Rose Devlin, 535 Valley Road, was present to express concern with stormwater drainage from contiguous property currently undergoing construction. Ms. Devlin reported that previous drain lines or drain field has either been removed or negatively impacted by the construction. Erin Strut, 2670 Clearview Drive and Ron Knaub, 2750 Lewisberry Road, were also in attendance to provide additional information in regards to Ms. Devlin's concerns. Zoning/Planning Officer Olewiler reported that the York County Conservation Department has been made aware of the matter.

Jeff Keller, 610 Olmstead Way, was present to express concern with speeding on Olmstead Way, added police presence and the mowing of Nittany Park. Mr. Keller also posed questions on the 2020 municipal budget and the 2018-19 York City Sewer Interceptor project.

RAK Church Road LLC – Preliminary/Final Land Development Plan – Review #2019-13

Scott DeBell of Site Design Concepts, Inc., was present to present the final land development plan for RAK Church Road, LLC, at property located at 3305 Susquehanna Trail. Mr. DeBell reported the land development plan is proposing the construction of an 89,687 square foot trucking terminal on a 40.23 acre lot along the east side of the 3200-3300 block of Susquehanna Trail in an Industrial (I) zoning district. Mr. DeBell explained the proposed plan is for the redevelopment of the existing truck terminal. Mr. DeBell also explained that this proposed plan will include intersection improvements at Farmbrook Lane and Susquehanna Trail.

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

- W1) SALDO Section 22-405 – Preliminary Plan Submission. The applicant is requesting a waiver of the requirement to submit a preliminary plan.
- W2) Stormwater Management Ordinance Section 26-131.K – Stormwater Management Facilities Location. The applicant is requesting a waiver for stormwater management basin located within the building setback lines.
- W3) From Section 22-705 – that an access drive is limited to 35 feet width to permit the main access drive width to be 50 feet wide.

Motion carried. Ayes-4 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the proposed final land development plan, RAK Church Road, LLC, Review #2019-13, subject to the completion of open items.

Motion carried. Ayes-4 Nays-0.

MANAGER'S REPORT

- Item #19 - Mr. James reported on the January 30, 2020 receipt of refund check of \$48,124.90 from York, City Sewer Authority for overpayment of the York City Sewer Authority/Manchester Township Sewer Interceptor project from 2018-19.
- Item #20 - Mr. James reminded the board that Statement of Financial Interest forms must be completed by May 1, 2020.
- Item #23 - Mr. James and Engineer Treglia reported on the Dover Township Wastewater Treatment Plant user's group meeting and the consideration of more active Infiltration and Inflow action, including house basement inspections.
- Item #36 - Ms. Brennan made a motion, seconded by Mr. Inch, to adopt Resolution #2020-07 adopting the relocated portion of Shady Lane and vacating the existing Shady Lane right-of-way and authorize the Solicitor to file a petition for adoption of relocated portion of the street with the York County Clerk of Courts.

Motion carried. Ayes-4 Nays-0.

OTHER BUSINESS/REPORTS

Mr. James reported the receipt of fire, police, engineer's monthly reports and Zoning and Planning Officer's Annual Report.

APPROVAL OF VOUCHERS

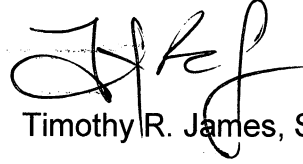
Ms. Brennan made a motion, seconded by Mr. Inch, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: January 7-27; and January 28-February 11, 2020.

Motion carried. Ayes-4 Nays-0.

ADJOURNMENT

Being no further business, Ms. Brennan made a motion to adjourn the meeting at 9:17 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TRJ', is written over a faint horizontal line.

Timothy R. James, Secretary

TRJ/jas