

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

September 14, 2021

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, September 14, 2021, which was called to order at 7:00 p.m. by Chairperson Wingert.

PARTIES PRESENT

Lisa D. Wingert, Chairperson
Rodney K. Brandstedter, Vice-Chair
Beth Brennan, Supervisor
John W. Inch, Jr., Supervisor
Debra K. McCune, Supervisor

Timothy R. James, Manager/Secretary
Danelle L. Goodwin, Asst. Secretary
Lawrence V. Young, Solicitor
BJ Treglia, C.S. Davidson, Inc.
Daniel Hoff, YAUFR Fire Chief
David Lash, NYCRPD Police 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 the 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 the August 10, 2021 regular meeting.

Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

Stormwater Matters

As summarized in item #2 of the manager's report, Randy Funk, 2415 Friesian Road, and Christi Brown, 740 Chesterbrook Drive, were present to express stormwater concerns in the Chesterbrook Development. Mr. Funk and Ms. Brown provided a presentation illustrating the property impact they have recently experienced during various heavy rain events (August 18, 22 and September 1). Mr. Funk and Ms. Brown requested assistance from the township on the repair of the stormwater conveyance system. Solicitor Young reported discussions with counsel from Kinsley Equities, who currently maintains the stormwater facility located within Chesterbrook. Solicitor Young stated the stormwater conveyance system is a private system not dedicated to the township. Solicitor Young reported Kinsley Equities is willing to assist the township and homeowners on a repair but would like to be removed from the maintenance responsibilities with the stormwater facility. Solicitor Young recommended the creation of a homeowner's association to in part take responsibility for the stormwater conveyance and facilities in Chesterbrook. Tammy Reichard, 789 Chesterbrook Drive, expressed concern with the lack of mowing of the stormwater facility that is behind her home. Engineer Treglia noted that stormwater does sheet over land from Norman Road

but stormwater from the contiguous industrial facilities is not a direct issue. Mr. Brandstedter made a motion, seconded by Mr. Inch, to direct the engineer, staff and Solicitor to develop a repair plan for the stormwater pipe up to \$20,000 with the assistance from Kinsley Companies and the recommendation for the residents of Chesterbrook to create a homeowner's association or the like, to take responsibility for the stormwater conveyance system moving forward.

Motion carried. Ayes-5 Nays-0.

Mark and Janelle Warner, 2145 Jesse Lane, were present to discuss the MacGregor Downs stormwater facility (located upstream of their home) and its deficiencies that caused stormwater damage to their property during the August 18, 2021 rain event. Mr. Warner reported the damage from the breach of the stormwater facility impacted five (5) properties in the Jesse Lane area. Engineer Treglia provided feedback on the potential process to update the stormwater facility and reminded everyone that the facility is not owned by the township, and it is his understanding MacGregor Downs does not have a homeowner's association to maintain the facility. The Board of Supervisors asked the staff, Engineer and Solicitor to develop a strategy to remedy the deficiencies and provide a plan for consideration next month. Michael Long, 2142 Jesse Lane, asked if a repair on a separate stormwater facility in the Jesse Lane area is planned should the township be aware of the upgrade. Mr. James stated it would be in the best interest of everyone that if a facility is changed that the township is made aware.

Mr. James also reported stormwater matters in various areas within the township due to the heavy rains, tropical storms and saturated ground that was recently experienced.

York City Sewer – Intermunicipal Agreement

As summarized in item #3 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.

York City Sewer Treatment Plant

As summarized in item #4 of the manager's report, Mr. James provided a status report on the development of the City of York's process on the sale of the York City Sewer Treatment Plant and the City collection system. Mr. James stated the working group continues to prepare for PUC hearings and future discussions with PA American Water. Mr. James also stated that the City of York received and accepted a high bid of \$235 million for the sale of the City Sewer System from PA American Water. Mr. James also reported that on April 6, 2021, City Council voted to finalize the Asset Purchase Agreement for the sale of the treatment plant and collection system. Mr. Brandstedter made a motion, seconded by Ms. Brennan, to authorize the township manager to execute the common interest agreement between York Water Company and the five (5) connected municipalities.

Motion carried. Ayes-5 Nays-0.

Canal Road Betterment Project Developers Agreement

As summarized in item #5 of the manager's report, Mr. James and Solicitor Young reported the receipt of an October 7, 2020 updated draft developer's agreement but are awaiting comments from East Manchester and Conewago Townships. Solicitor Young reported a stormwater maintenance issue has arisen between East Manchester Township and PennDOT that has delayed the agreement approval process.

Public Water Easement Request

As summarized in item #6 of the manager's report, Engineer Treglia and Solicitor Young provided background on an easement request from Jehovah Witness, 932 Church Road, to access public water from Parkwood and Hummel Drive area through Cousler Park, due to current testing indicating bacteria in well. Solicitor Young reported that he is awaiting an executed agreement from the Jehovah Witness Brandywine Congregation before requesting Board of Supervisors consideration.

Fireworks Act 43 of 2017

As summarized in item #7 of the manager's report, due to the increased concerns associated with the state fireworks legislation Act 43 of 2017 that allowed for bigger fireworks to be commercially sold in Pennsylvania as well as taking away local municipalities ability to control the fireworks discharge, the Board of Supervisors reviewed the sample ordinance developed by Solicitor Young. Guidance was given on increasing the distance to a structure from 150' to 300', additionally fees need established.

NEW BUSINESS**700 North George Street Associates, Ltd. – Rezoning Petition**

As summarized in item #8 of the manager's report, Attorney Paul Minnich was present to present a rezoning petition for 700 North George Street Associates, Ltd. for three (3) parcels located at 700 North George Street from the current Residential Low Density (RL) District to Industrial (I). Mr. Minnich explained his client desires to re-zone approximately 52 acres of the property for industrial uses. Mr. Minnich also requested the previous rezoning petition submission to consider a change to Residential High Density (RH) be withdrawn. Mr. Brandstedter made a motion, seconded by Ms. Brennan, to forward the rezoning petition request for 700 North George Street Associates, Ltd., onto both Manchester Township and York County Planning Commissions for review and recommendation.

Ayes-4 Nays-0 (Inch abstained).

Community Life Team EMS Contract Renewal

As summarized in item #9 of the manager's report, Barry Albertson, Mark Knaub and Dr. Dan Bledsoe, representing Community Life Team Emergency Services, were present to discuss township ambulance services and a proposed contract renewal. Fire Chief Hoff reported a positive working relationship with Community Life Team over the past three years. After further discussion, Mr. Brandstedter made a motion, seconded by

Mr. Inch, to renew a five (5) year ambulance service contract with Community Life Team at the current "no cost" terms.

Motion carried. Ayes–5 Nays–0.

2022 Budget

As summarized in item #10 of the manager's report, Mr. James provided a synopsis of the 2022 budget process and requested board member's guidance on parameters or specific projects. Mr. James reported a draft 2022 budget will be presented on October 12th, proposed budget on November 9th and a final budget on December 14th.

2022 SPCA Annual Care and Housing Agreement

As summarized in item #11 of the manager's report, Ms. Brennan made a motion, seconded by Ms. McCune, to authorize the chairperson or vice-chairperson to execute the York County SPCA 2022 Animal Care and Housing agreement.

Motion carried. Ayes–5 Nays–0.

Emergency Declaration – Tropical Storm Ida

As summarized in item #13 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to retroactively authorize a Declaration of Emergency relative to the impact of Tropical Storm Ida on September 1, 2021.

Motion carried. Ayes–5 Nays–0.

NorthPoint Development – Bear Road – Rezoning Petition

As summarized in item #14 of the manager's report, Grant Hromas of NorthPoint Development and Attorney Stacey MacNeal, were present to present updated information regarding a rezoning petition seeking to amend the township zoning map/ordinance for six (6) parcels of land located in the collective are of Bear, Old Mill and Canal Roads currently zoned as Agricultural (A) open space to Industrial (I). Mr. Hromas reported that the planning commissions will be providing recommendations to the Board of Supervisors of the rezoning petition request during the month of September. After a brief discussion, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to set a public hearing for November 1, 2021 at 6:30 p.m. to receive public input on the petition.

Motion carried. Ayes-5 Nays-0.

Winship Land Associates IV, L.P. (3650 Board Road) – Stormwater Operation and Maintenance Agreement

As summarized in item #15 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Inch, to authorize the chairperson or vice-chairperson execute the stormwater operation and maintenance and right-of-way agreement with Winship Land Associates IV, L.P. for the property at 3650 Board Road.

Motion carried. Ayes-5 Nays-0.

Public Works Laborer/Mechanic Position

As summarized in item #16 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. McCune, to authorize the hiring of a Public Works Mechanic/Laborer position effective immediately.

Motion carried. Ayes-5 Nays-0.

Board Road Sanitary Sewer Project Alternate Bid #2

As summarized in item #17 of the manager's report, Engineer Treglia provided details on the Board Road sewer improvements and indicated the desire to have completed in advance of the PennDOT Board Road improvements scheduled for 2022. Engineer Treglia requested board consideration of Alternate Bid #2 for heavy duty manhole frames and covers that was mistakenly not formally authorized with the base bid approval on August 10, 2021. Mr. Brandstedter made a motion, seconded by Mr. Inch, to authorize acceptance of Alternate Bid #2 (heavy duty manhole frames and covers), with Wexcon, Inc., as contractor for the sewer main and sewer manhole replacement project on Board Road (south of May Road).

Motion carried. Ayes-5 Nays-0.

American Rescue Plan Act of 2021 (ARPA Funds)

As summarized in item #19 of the manager's report, Mr. James reported on the receipt of \$975,953.73 from the American Rescue Plan Act of 2021. Mr. James stated the receipt of previous guidance on 2021 spending at the August 10, 2021 meeting. Police Chief Lash presented equipment from the Board's guidance he would recommend for consideration. After discussions, Mr. Brandstedter made a motion, seconded by Mr. Inch, to authorize the purchase of two (2) License Plate Recognition Speed Trailers and mobile automatic license plate recognition equipment to outfit two (2) patrol cars for Manchester Township priority use.

Motion carried. Ayes-5 Nays-0.

AMENDED AGENDA ITEM

Ms. Brennan made a motion, seconded by Mr. Brandstedter, to amend the meeting agenda to include discussions regarding Chapel Drive parking matter.

Motion carried. Ayes-5 Nays-0.

Chapel Drive Parking

Solicitor Young reported on previous meeting discussions regarding parking/sight issues on Chapel Drive a traffic study was completed and a draft parking restriction ordinance was distributed for consideration. After review and discussion, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to authorize the Solicitor to advertise the draft Chapel Drive parking restriction ordinance for future adoption consideration.

Motion carried. Ayes-5 Nays-0.

RECOGNITION OF PUBLIC PRESENT

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

MANAGER'S REPORT

Item #18 - Mr. James reported on the recent 2020 US Census data that Manchester Township's population is listed as 19,515 increasing by 7.5% (1,354) from 2010 data.

Item #28 - Mr. James reported the recent retirement of Stew Runk after eighteen (18) years of service as building and grounds custodian.

OTHER BUSINESS/REPORTS

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

Ms. Brennan expressed interest in the possibilities to ensure future residential developments have homeowner's associations formalized. Solicitor Young and staff will research the matter.

APPROVAL OF VOUCHERS

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: August 11 – 24; August 25 – September 14, 2021.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 9:39 p.m.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas