

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

October 12, 2021

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, October 12, 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, YAUFER 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 September 14, 2021 regular meeting.

Motion carried. Ayes-5 Nays-0.

EXECUTIVE SESSION (7:02 – 7:12 p.m.)

Ms. Wingert called an executive session to discuss ongoing negotiations associated with the proposed sale of the York City Sewer System.

UNFINISHED BUSINESS

Stormwater Matters

As summarized in item #2 of the manager's report, Solicitor Young, Engineer Treglia and Mr. James reported on discussions and plans associated with the stormwater in the Chesterbrook Development. Josh Brown, 740 Chesterbrook Drive, expressed concern on the timing of a repair and the lack of interest of the residents within the Chesterbrook Development to create a homeowner's association for operation and maintenance costs associated with the stormwater facilities. Mr. Brown also requested a single point of contact with the township on this matter. Solicitor Young also discussed future consideration of stormwater districts that could impose a fee based on impervious coverage and allow for credits for homeowner associations who do manage their stormwater responsibilities. After further discussion, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to authorize the Solicitor, Engineer and Staff to negotiate and develop a solution both in the short and long term for the stormwater facilities with the Chesterbrook Development.

Motion carried. Ayes-5 Nays-0.

Solicitor Young reported that he was able to communicate with Ms. Pak the owner of the MacGregor Downs stormwater facility that requires maintenance due to capacity limitations. Mr. James reported the ownership of the facility will ease the state and county permitting process. Mr. Brandstedter made a motion, seconded by Mr. Inch, to authorize the Solicitor to take steps to have the stormwater facility associated with MacGregor Downs deeded to Manchester Township for purposes of improving the operation and maintenance with the facility.

Motion carried. Ayes-5 Nays-0.

Jeremy Snedegar, 2181 Jesse Lane, was present to discuss stormwater infrastructure repair concerns within the Briar Bend Development. Mr. Snedegar reported the Briar Bend Homeowners Association does not have enough funds to complete an infrastructure repair and was seeking guidance. The Board tasked the township staff to submit a Letter of Intent for a Hazard Mitigation Grant offered by Pennsylvania Emergency Management Agency seeking grant funds for multiple stormwater repair matters.

Solicitor Young also discussed potential options to cover costs associated with stormwater operations and maintenance throughout the township. The Board requested Solicitor Young gather information relative to stormwater management fees and assessments for future discussions.

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.

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.

Fireworks Act 43 of 2017

As summarized in item #6 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 of 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. The Board tasked Solicitor Young and staff to develop propose fees to be included with future ordinance consideration.

2022 Budget

As summarized in item #7 of the manager's report, Mr. James provided a synopsis of the 2022 budget process with a draft budget on October 12th, proposed budget on November 9th and a final budget on December 14th.

Mr. James advised that the 2022 draft budget shows a total budget of \$16,400,870 or an increase of \$520,050 from 2021. Mr. James reported that general fund budget total is \$12,993,360 is an increase of 6.33% from 2021. Mr. James also reported among the items that would have an impact on the 2022 General Fund budget are: a) increase in police budget due to increased purchase of services (67 units from 63); b) increase in fire budget versus 2021; c) increase in projected inspection costs due to increased building trends; d) impact of revenue recovery funds associated with APRA Federal funds; and e) increase in sewer costs. Mr. James reported the draft budget maintains 2021 tax levels.

Ordinance #2021-06 – Chapel Drive Parking Restriction

As summarized in item #8 of the manager's report, Solicitor Young reported that the proposed Chapel Drive parking restriction ordinance was advertised on September 27, 2021. Ms. Brennan made a motion, seconded by Ms. McCune, to adopt Ordinance #2021-06 establishing a parking restriction on the south side of Chapel Drive where the site distance is an issue.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS**Sovereign National, LP – Final Land Development Plan – Review #2021-11**

Robert Sandmeyer of Site Design Concepts was present to present the final land development plan for Sovereign National, LP (Review #2021-11). Mr. Sandmeyer described the proposed office building improvements located at 5 Bentzel Mill Road, which would add 460 square feet of office space and add additional parking. Mr. Sandmeyer also provided description on the flood plain depiction on the plan.

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

- 1) A waiver from the Subdivision and Land Development Ordinance, Section 22-404, from requirement and process of preliminary land development plan approval.

- 2) A waiver from the Stormwater Management Ordinance, Section 26-131.K, for the requirement of stormwater management facilities to be located outside of the building setback.

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Inch, to approve Sovereign National, LP, Final Land Development Plan (Review #2021-11) subject to the completion of the open items.

Motion carried. Ayes-5 Nays-0.

Bentzel Mill / Mill Race Roads – Vacate Roads

In response to the final land development plan approval for Sovereign National, LP, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Solicitor to advertise a proposed ordinance that would vacate Bentzel Mill Road and Mill Race Road and transfer ownership to owner of properties on Bentzel Mill Road.

Motion carried. Ayes-5 Nays-0.

Resolution #2021-20 - Distribution of 2021 State Municipal Pension Aid

As summarized in item #10 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt Resolution #2021-20 to authorize the distribution of the 2021 state pension aid to the respective employee pension plans.

Motion carried. Ayes-5 Nays-0.

Resolution #2021-21–Core 5-Codorus Easements/Off-Site Agreement Truck Route

As summarized in item #11 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to adopt Resolution #2021-21 to authorize the Solicitor to execute on behalf of Manchester Township, the Deed of Easement and Deed of Drainage Easement with Interstate Holdings Company regarding Emig and Busser Roads intersection improvements associated with the Core 5 Codorus project.

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

Additionally, Mr. Inch made a motion, seconded by Ms. Brennan, to authorize the Solicitor to advertise an ordinance for future consideration that would establish a truck route for west bound movements on Emig Road to Locust Lane to Aberdeen Road to North George Street; restricting west bound truck movements through the railroad underpass; and establishing a speed limit on Busser Road as required by the off-site traffic agreement with Core 5 Codorus.

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

Animal Control Service – 2022 Contract

As summarized in item #12 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Chairperson or Vice-Chairperson to execute the 2022 agreement for animal control services with Klugh Animal Control Services.

Motion carried. Ayes-5 Nays-0.

CPA Appointment Notice Authorization

As summarized in item #25 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to authorize that the appropriate advertisement be placed in compliance with the thirty (30) day public notice of the board's intent to appoint firm of the board's direction.

Motion carried. Ayes-5 Nays-0.

2021 Street Improvements – Change Order (Time Extension)

As summarized in item #26 of the manager's report, Engineer Treglia provided a report on the completion of 2021 street improvements and the request to approve a time extension change order with E.K. Services, Inc. for Contract #1. Mr. Brandstedter made a motion, seconded by Ms. McCune, to authorize a time extension change order of six (6) days for the 2021 Street Maintenance Contract #1 with E.K. Services, Inc.

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.

Keith Bailey, 796 Rishel Drive, was present to express concern with the temporary speed bump application on Woodland View Drive. Mr. Bailey stated concern on how the analysis of the speed bumps would be conducted.

MANAGER'S REPORT

Item #13 - Mr. James reported on upcoming terms set to expire on various boards and commissions. The board provided guidance to contact individuals with expiring terms to see if they have interest to continue.

OTHER BUSINESS/REPORTS

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

APPROVAL OF VOUCHERS

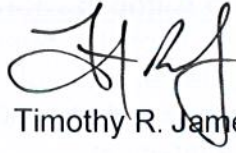
Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: September 15 – 21; September 22 - 28; September 29 – October 12, 2021.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 8:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. James', is written over the printed name.

Timothy R. James, Secretary

TRJ/jas