

# **MANCHESTER TOWNSHIP BOARD OF SUPERVISORS**

**November 8, 2022**

## **MEETING**

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, November 8, 2022, which was called to order at 6:00 p.m. by Chairman Brandstedter.

## **PARTIES PRESENT**

Rodney K. Brandstedter, Chair  
John W. Inch, Jr., Vice-Chair  
Beth Brennan, Supervisor  
Debra K. McCune, Supervisor  
Craig Miller, Supervisor

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

## **PUBLIC HEARING CABLE FRANCHISE AGREEMENT–SHENTEL COMMUNICATIONS**

Mr. Brandstedter called a required public hearing to order to discuss the proposed cable franchise agreement with Shenandoah Cable Television, LLC (Shentel Communications).

## **PUBLIC COMMENT**

Chairman 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 the agenda items for any questions or concerns about non-agenda items.

## **APPROVAL OF MINUTES**

Ms. Brennan made a motion, seconded by Ms. McCune, to approve the minutes of the regular scheduled October 11, 2022 meeting as submitted.

Motion carried. Ayes-5 Nays-0.

## **UNFINISHED BUSINESS**

### **Shentel Communications Franchise Agreement – Ordinance #2022-09**

As summarized in item #2 of the manager's report, Mr. Miller made a motion, seconded by Mr. Inch, to adopt Ordinance #2022-09 authorizing the Chairperson or Vice-Chairperson to execute a ten (10) year cable franchise agreement with Shenandoah negotiated by the Cohen Law Group.

Motion carried. Ayes-5 Nays-0.

### **Canal Road Betterment Project Developer's Agreement – Resolution #2022-14**

As summarized in item #3 of the manager's report, Solicitor Young reported the Board approved the execution of the Canal Road Betterment Agreement on October 11, 2022 but there is a need to retroactively adopt a resolution in support of that action. Mr. Inch made a motion, seconded by Ms. Brennan, to adopt Resolution #2022-14 retroactively approving

the adoption of the Canal Road Betterment Developer's Agreement approved on October 11, 2022.

Motion carried. Ayes-5 Nays-0.

### **2023 Budget**

As summarized in item #4 of the manager's report, Mr. James provided a synopsis of the 2023 budget process with a draft budget presentation on October 11<sup>th</sup>, proposed budget on November 8<sup>th</sup> and final budget adoption on December 13<sup>th</sup>.

Mr. James advised that the 2023 draft budget shows a total budget of \$17,756,030 or an increase of 9.38% from 2022. Mr. James reported that general fund budget total \$13,335,740 is an increase of 6.43% from 2022. Mr. James also reported among the items that would have an impact on the 2023 General Fund budget are: a) increase in both police and fire budgets; b) increase in planning due to process of updating the township comprehensive plan; c) increase in insurances; d) increase in overall costs of supplies, fuels and services; e) increase in sewer costs; and f) increase in capital reserve projects and purchases. Mr. James reported the draft budget maintains 2022 tax levels but does recommend a mid-year increase of \$25 a quarter to sanitary sewer customers based on the impact of the York City Sewer System sale to PA American Water Company in May 2022. Mr. Inch made a motion, seconded by Ms. Brennan, to authorize the proposed 2023 budgets be advertised for adoption consideration at the December 13, 2022 meeting.

Motion carried. Ayes-5 Nays-0.

### **Short Term Rentals**

As summarized in item #5 of the manager's report, Norm Basso, 1350 Brittany Drive, was present to express concern of short term rentals in the Brittany Development. Mr. Basso reported concerns with noise, parties and other matters experienced in his community. Solicitor Young explained Homeowners Associations may have covenants that prohibit short term rentals, but recourse requires civil action. Paul Kuehnel, 3283 High Street, was also present and commented that the size of the property may be a consideration in any regulation consideration. After further discussion, the Board asked the Solicitor and staff to develop a draft ordinance for further discussion.

### **NEW BUSINESS**

#### **Manchester Commerce Center – Preliminary Subdivision Plan – Review #2022-15**

Josh George of Landworks Civil Design and Stacey MacNeal of Barley Snyder Law presented the preliminary subdivision plan for Manchester Commerce Center in the Bear Road / Canal Road / Susquehanna Trail area. Mr. George reported the plan is to combine 10 existing parcels totaling 246 acres into 4 parcels in the Industrial (I) District. Ms. Brennan made a motion, seconded by Mr. Brandstedter, to approve the following waiver:

- a) SALDO 22-403.4.16 – Contours

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Brandstedter, to approve the Manchester Commerce Center Preliminary Subdivision Plan (Review #2022-15) located in the Bear Road / Canal Road / Susquehanna Trail area, subject to the completion of outstanding comments.

Motion carried. Ayes-5 Nays-0.

**Manchester Commerce Center – Preliminary Land Development Plan – Review #2022-16**

Josh George of Landworks Civil Design and Stacey MacNeal of Barley Snyder Law presented the preliminary land development plan for Manchester Commerce Center in the Bear Road / Canal Road / Susquehanna Trail area. Mr. George reported that the proposed plan to construct three warehouse/distribution facilities totaling 2,611,100 square feet and one public use building and related site improvements in the Industrial (I) District. Mr. Brandstedter questioned if approval of a developer's agreement should be considered before preliminary land development approval is considered. Solicitor Young stated the developer's agreement approval should be a condition before the final land development plan is approved. Attorney MacNeal described the public improvements proposed as part of a proposed developer's agreement. Darlene Weir, 3840 Bear Road, was present to express concern with keeping wooded area buffers to protect their property. Matt Weir, 3840 Bear Road, expressed consideration on the phasing of closing Bear Road to not have increased impact on Bear Road residents. Engineer Treglia provided clarification of the review and approval process that the applicant has and will complete. Jon Seitz, TRG, Inc., was present to provide responses to traffic concerns. Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the following waivers:

- a) SALDO 22-703.2.A – Curbs (partial).
- b) SALDO 22-707.2.C – Maximum 500 feet length of a cul-de-sac.
- c) SALDO 22-709.1 – Sidewalks (partial).
- d) SWMO Section 131.11 – Best Management Practices (BMP) must comply with BSL requirements.
- e) SWMO Section 138.3A(3) – Maximum 4:1 side slope of basins.

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

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the Manchester Commerce Center Preliminary Land Development Plan (Review #2022-16) located in the Bear Road / Canal Road / Susquehanna Trail area, subject to the completion of outstanding comments.

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

**Blockhouse Farmbrook Industrial Park – Final Land Development Plan – Review #2022-17**

Kevin McGarvey of BL Companies, was present to present the final land development plan for Farmbrook Industrial Park, located at 3285 Farmtrail Road. Mr. McGarvey reported the proposed plan is to construct a 40,000 square foot building. After a brief discussion, Ms. Brennan made a motion, seconded by Mr. Miller, to approve the following waivers:

- a) A waiver for SWM structure not meeting building setback requirements (SWMO 26-131.11).
- b) Waivers to requirements to install curb and sidewalk along road frontage (SALDO 22-703.2.A and 22-709).
- c) A waiver for requirement of 100' x 100' x 100' clear sight triangle at access drive entrance (SALDO 22-705.E).

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Miller, to approve the Blockhouse Farmbrook Industrial Final Land Development Plan (Review #2022-17) subject to the completion of outstanding comments.

Motion carried. Ayes-5 Nays-0.

**2538 Brandywine Lane – Preliminary/Final Subdivision Plan – Review #2021-10**

John Luciani, First Capital Engineering, was present to present the preliminary/final land development plan for 2538 Brandywine Lane. Mr. Luciani reported this plan was previously approved by the Board, but this current plan request is to subdivide into 5 parcels as opposed to the 6 previously approved. Engineer Treglia stated waivers were previously approved, but one of the proposed waivers has been removed. Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the following waiver updates:

- a) A waiver from the SALDO Section 22-403 requiring and process of preliminary plan approval.
- b) A waiver from the SALDO Section 22-709.1 requiring construction of sidewalk along Lot 6.
- c) A waiver from the SALDO Section 22-702.1.E requiring a minimum clear sight triangle along centerline (no obstacle higher than 3 feet permissible). Local road with local road-75'.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the preliminary/final subdivision plan for 2538 Brandywine Lane subject to the completion of the outstanding comments.

Motion carried. Ayes-5 Nays-0.

**Spotted Lanternflies**

As summarized in item #7 of the manager's report, Sharon Herman, 493 Spring House Lane, was present to receive information developed by staff on the spotted lanternfly concern. Ms. Herman expressed appreciation for the efforts by the township and will distribute the information provided to her neighbors.



**Intermunicipal Cooperation Agreement–North York Borough–Joint Comprehensive Plan**

As summarized in item #8 of the manager's report, Ms. Brennan made a motion, seconded by Ms. McCune, to authorize the Chair or Vice-Chair to execute the intermunicipal cooperation agreement between Manchester Township and North York Borough for the consultant services cost (HRG, Inc.) related to the update of the joint comprehensive plan.

Motion carried. Ayes-5 Nays-0.

Further discussion occurred to potentially include Conewago Township in the joint comprehensive plan process.

**Recreation Facilities Rental Rates – Resolution #2022-13**

As summarized in item #9 of the manager's report, Mr. Miller provided a report on the recommendation from the Manchester Township Recreation Commission to raise fees for park building rentals due to additional cleaning costs and increased damage from renters. After a lengthy discussion, the Board requested the Recreation Commission reevaluate the fee recommendations for consideration of higher rates to deter additional costs/damage.

**Deputy Tax Collector Appointment**

As summarized in item #10 of the manager's report, Mr. Miller made a motion, seconded by Ms. Brennan, to authorize Kristine Keener, Dover Township Tax Collector, to serve as deputy tax collector for Manchester Township through the remainder of the current tax collector's term in office.

Motion carried. Ayes-5 Nays-0.

**Health Insurance Supervisors' Participation**

As summarized in item #11 of the manager's report, Mr. James provided 2023 health insurance costs for Board participation consideration. Solicitor Young confirmed the Second Class Township Code allows for Supervisor's participation in the employee insurance plan at a contribution rate not better than the employee rate. Mr. Brandstedter commented that he hoped to encourage more interest in the Supervisor role by offering health insurance enhancement. Mr. Brandstedter made a motion, seconded by Mr. Inch, to allow Supervisors during their designated election term to participate in the employee health insurance at the same contribution rate as employees beginning in 2023.

Motion carried. Ayes-5 Nays-0.

**RECOGNITION OF PUBLIC PRESENT**

In accordance with Act 93 of 1998 (Sunshine Law), Mr. Brandstedter recognized any participants who wished to address the board. No public comment was made at this time.

**MANAGER'S REPORT**

Item #28 - Discussion was held regarding 2023 meeting dates and times with further discussion and action to occur at the December 13, 2022 meeting.

**OTHER BUSINESS/REPORTS**

Police Chief Lash reported on recent activity with Northern York County Regional Police Department.

Mr. James reported on the public meeting scheduled for November 29, 2022 at 6 p.m. at the Manchester Township Municipal Complex related to the York Area Metropolitan Planning Organization findings for the Emig Road / North George Street future improvements.

**APPROVAL OF VOUCHERS**

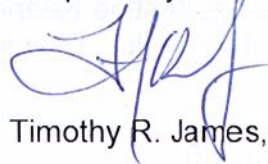
Ms. McCune made a motion, seconded by Ms. Brennan, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: October 25 and November 8, 2022.

Motion carried. Ayes-5 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Inch made a motion to adjourn the meeting at 8:59 p.m.

Respectfully submitted,

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

Timothy R. James, Secretary

TRJ/jas