

# **MANCHESTER TOWNSHIP BOARD OF SUPERVISORS**

**February 8, 2022**

## **MEETING**

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, February 8, 2022, which was called to order at 7:00 p.m. by Chairperson Brandstedter.

## **PARTIES PRESENT**

Rodney K. Brandstedter, Chairperson	Timothy R. James, Manager/Secretary
John W. Inch, Jr., Vice-Chair (virtually)	Danelle L. Goodwin, Asst. Secretary
Beth Brennan, Supervisor	Lawrence V. Young, Solicitor
Debra K. McCune, Supervisor	BJ Treglia, C.S. Davidson, Inc.
Craig Miller, Supervisor	Daniel Hoff, YAUFR Fire Chief
	David Lash, NYCRPD Police Chief

## **PUBLIC COMMENT**

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

## **APPROVAL OF MINUTES**

Ms. McCune made a motion, seconded by Ms. Brennan, to approve the organizational (as amended) and regular meeting minutes of the January 3, 2022 and the special meeting of January 28, 2022.

Motion carried. Ayes-5 Nays-0.

## **UNFINISHED BUSINESS**

### **LERTA Request – Northpoint Development – Canal/Bear Roads – Ordinance #2022-02**

As summarized in item #2 of the manager's report, David Salinas and Brian Stahl of Northpoint Development were present to follow-up from a February 8, 2022 Board of Supervisors' presentation for Northpoint Development, in requesting designation of Local Economic Revitalization Tax Assistance (LERTA) for Northpoint Development Canal/Bear Roads. Solicitor Young reported the required public hearing was advertised and held on February 8, 2022 prior (at 6:45 p.m.) to regularly scheduled board meeting. Ms. Brennan made a motion, seconded by Ms. McCune, to adopt Ordinance #2022-02 authorizing LERTA designation for Northpoint Development, Canal and Bear Roads specific terms to be a decision of each taxing authority.

Ayes-5 Nays-0. Motion carried.

**York City Sewer – Intermunicipal Agreement**

As summarized in item #3 of the manager's report, 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 Proposed Sale – Act 537 Revision – Res. #2022-08**

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 negotiations and await feedback from the Department of Environmental Protection on a potential agreement.

Dave Shirk of Bucharth Horn was present to present an Act 537 Sewer special study to transfer the current York City Act 537 plan to PA American Water as an administrative action requirement of the PA Department of Environmental Protection. Mr. James confirmed CS Davidson staff have vetted the request and confirmed the update is in name only. Ms. Brennan made a motion, seconded by Mr. Miller, to adopt Resolution #2022-08 approving York City Act 537 sewage facilities plan update and to have proposed Act 537 Plan update submitted to the PA Department of Environmental Protection as an update to official plan of Manchester Township.

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 final comments from the Canal Road Betterment Group with the anticipation a proposed agreement for the Board's consideration in the near future.

**Alert Fire Company**

As summarized in item #6 of the manager's report, the Board continued discussions regarding a request for funding assistance for capital improvements planned for the Alert Fire Company station at 3118 North George Street. After discussions, the Board requested further future meeting discussions on this matter be held.

**Ordinance #2022-01 – Mundis Race Road Speed Limit/Truck Restriction/Truck Route**

As summarized in item #7 of the manager's report, Ms. McCune made a motion, seconded by Mr. Miller, to adopt Ordinance #2022-01 enacting a maximum speed limit of 40 MPH on Mundis Race Road; restricting truck access on certain roads that use the Emig Road Underpass; and establishing an alternative route for truck traffic around the Emig Road Railroad Underpass.

Motion carried. Ayes-5 Nays-0.

**York County Planning Commission**

As summarized in item #8 of the manager's report, Felicia Dell, Director of the York County Planning Commission was present to provide feedback on recent concerns associated with the proposed I-83 Exit 26 interchange and funding thereof. Ms. Dell also reported on discussion at recent transportation subcommittee meetings relative to the proposed I-83 Exit 26 project.

**I-83 Exit 26 Land Use Plan Addendum – Resolution #2022-06**

As summarized in item #9 of the manager's report, Michelle Brummer of Gannett Fleming was present to provide an overview of the I-83 Exit 26 Land Use Plan Addendum. Ms. Brummer reported the land use plan addendum process involved a lengthy process; public input; and assistance/direction from representatives of Manchester Borough, East Manchester, Conewago and Manchester Townships. Mr. Brandstedter questioned Solicitor Young if adopting the land use plan addendum would prohibit rezoning consideration in the future. Solicitor Young confirmed zoning changes would not be prohibited with adoption of the plan addendum. After a brief discussion, Ms. Brennan made a motion, seconded by Ms. McCune, to adopt Resolution #2022-06 approving the I-83 Exit 26 Land Use Plan as an addendum to the township comprehensive plan.

Motion carried. Ayes-5 Nays-0.

**NEW BUSINESS****Expressway Commerce Center – Preliminary Land Development Plan – Review #2021-09**

Adam Davis of BL Companies was present to present the preliminary land development plan for Expressway Commerce Center located at 480 Willow Springs Lane in an Industrial (I) zone. Mr. Davis described the proposed preliminary plan includes two (2) warehouse facilities to be constructed on the property of Maple Press. After discussion and review by Township Engineer Treglia, Ms. Brennan made a motion, seconded by Mr. Miller, to approve the following waivers:

- 1) SALDO 22.705.2A.2 – access drive width = 35' (max.) 52' requested.
- 2) SALDO 26.138.A.3 – detention basin slope = 4:1 (max.) 3:1 requested.
- 3) SWMO 26-131.11 – detention basin location within building setback (infiltration basin #3 only).
- 4) SWMO 26-138.3.A.2 – detention basin berm width = 8' (min.) 5' requested.
- 5) SALDO 22.401C(1) – plan scale greater than 1"=100' (1"=120' requested).

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Miller, to approve the preliminary land development plan for Expressway Commerce Center (Review #2021-09) subject to completion of the open items.

Motion carried. Ayes-5 Nays-0.

**Shiloh Veterinary Clinic – Final Land Development Plan – Review #2021-14**

John Snyder of SLD Planning & Consulting was present to present the final land development plan for Shiloh Veterinary Clinic located at 110 Morgan Lane in an Industrial (I) zone. Mr. Snyder reported due to recent changes in how business is conducted there is a need to add additional parking at the current veterinary clinic at 110 Morgan Lane. After discussion and review by Township Engineer Treglia, Ms. Brennan made a motion, seconded by Ms. McCune, to approve the following waivers:

- 1) Section 22-303 – a waiver from the Subdivision and Land Development Ordinance is being requested for the requirement to submit a preliminary plan.
- 2) Section 22-709 Sidewalks – a waiver to provide sidewalks along North George Street due to the topography and type of roadway.

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Ms. McCune, to approve the final land development for Shiloh Veterinary Clinic (Review #2021-14) subject to the completion of the open items.

Motion carried. Ayes-5 Nays-0.

**3335 Connelly Road – Final Land Development Plan – Review #2021-17**

Ms. McCune made a motion, seconded by Ms. Brennan, to table the 3335 Connelly Road final land development plan until the March 8, 2022 meeting.

Motion carried. Ayes-5 Nays-0.

**2022 Street Construction Schedule**

As summarized in item #13 of the manager's report, Mr. James reviewed the proposed 2022 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 Ms. McCune, to approve the following list of streets identified in item #13 of the manager's report as the 2022 Highway Aid construction projects, and to authorize the staff to notify PennDOT about which projects will be funded by the 2022 Highway Aid (Liquid Fuels) Fund:

a)	Brady Rd.	Kyle Rd. - cul-de-sac	Construction	\$ 90,474
b)	Kyle Rd.	Kayla Blvd. – Brady Rd.	Construction	\$ 86,923
c)	Hayley Rd.	Kyle Rd. – dead end	Construction	\$ 60,288
d)	Ryan Run	Kayla Blvd. – Brady Rd.	Construction	\$ 32,554

e)	Morgan Ln.	Sandhurst Dr. - N. George St.	Construction	\$159,049
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Motion carried. Ayes-5 Nays-0.

**Resolution #2022-05 – Public Works Department Equipment Rental Rates**

As summarized in item #14 of the manager's report, Ms. Brennan made a motion, seconded by Ms. McCune, to adopt Resolution #2022-05 that establishes the 2022 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-5 Nays-0.

**Stella & Parkside Avenue Parking Restrictions**

As summarized in item #15 of the manager's report, Mr. James reported receiving concerns from a few residents of Stella and Parkside Avenue and Penn Waste of trash/recycling pick up disruptions due to parking on both sides of the streets restricting the ability of trash trucks to access streets. Mr. James stated a parking study was completed by Traffic Engineer Henise which recommended a parking restriction on one side of both Stella and Parkside Avenue. After a lengthy discussion on alternatives, Mr. Miller made a motion, seconded by Ms. McCune, to authorize the Solicitor advertise a proposed ordinance to prohibit parking on one side of both Stella and Parkside Avenue for future action consideration.

Motion carried. Ayes-5 Nays-0.

**Building Code Official Appointment**

As summarized in item #16 of the manager's report, Mr. James reported due to current vacancy of a township zoning officer, an appointed building code official should be considered in the interim. Ms. McCune made a motion, seconded by Mr. Miller, to appoint Code Administrators Inc, specifically Norm Strenger and Shawn Strausbaugh, as Manchester Township Building Code Official and Fire Battalion Chief Madzellan and Fire Chief Hoff as alternates during the interim period until staff certifications are current.

Motion carried. Ayes-5 Nays-0.

**DCNR Grant Authorization – Resolution #2022-07**

As summarized in item #17 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Miller, to adopt Resolution #2022-07 that authorizes the submission of the Community Conservation Partnership Program grant application to PA Department of Conservation and Natural Resources for the Eagles View Park improvements as depicted in the Eagles View Master Plan.

Motion carried. Ayes-5 Nays-0.



**Stormwater Matters – Hildebrand Machinery Storm Damage**

As summarized in item #18 of the manager's report, after a lengthy discussion the board chose not to authorize storm damage reimbursement costs for Hildebrand Machinery relative to August 18, 2021 storm event.

**Post-Retirement Health Insurance**

As summarized in item #19 of the manager's report, Ms. McCune recapped previous meeting discussion on proposed benefit enhancement of tiered cost post-retirement health insurance for employees with 25 years of service and 60 years of age. After discussions, Ms. McCune made a motion to approve a tiered cost post-retirement health insurance for employees with 25 years of service and 60 years of age to terminate at age 65.

No second was received, motion failed.

**Board of Supervisors Meeting Time**

As summarized in item #20 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Miller, to amend and advertise the 2022 Manchester Township Board of Supervisors meetings to begin at 6:00 p.m. effective April 12, 2022, unless alternate action is taken.

Motion carried. Ayes-5 Nays-0.

**Proposal Operational Review and Assessment of Planning/Zoning Department**

As summarized in item #21 of the manager's report, Mr. James reported the receipt of an operational review and assessment of the planning/zoning department from Government Finance Solutions. Mr. James added that the current vacancy of a township zoning/planning officer may not be appropriate to consider an operational review until a later time. Ms. McCune made a motion, seconded by Mr. Miller, to postpone the consideration of a proposal of an operational review and assessment of the township planning/zoning department until a later time.

Motion carried. Ayes-5 Nays-0.

Mr. Inch discontinued meeting participation at this time.

**RECOGNITION OF PUBLIC PRESENT**

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

Nick Hauck, 3775 Lewisberry Road and Chairman of the Manchester Township Planning Commission was present to express concern with the lack of respect received from a township supervisor at a recent Township Planning Commission meeting. Mr. Hauck reported the members of the Planning Commission are volunteers working on behalf of the Board of Supervisors for the benefit of the residents of Manchester Township. Mr. Hauck also reported concern that construction activities at 2950 Lewisberry Road are beyond what was granted by 2014 Zoning Hearing Board decision on said property.

Wade Anderson, 553 Soapstone Lane, was present to express concern with current construction taking place at 2950 Lewisberry Road (Inch and Company). Mr. Anderson expressed concern that the improvements do not belong in a residential area.

Attorney Paul Minnich, Barley Snyder Law representing Inch and Company, was present to report that construction activities at 2950 Lewisberry Road have been vetted by former township zoning officer and third party inspection representatives and activities are transparent and permits were received. Joe Eisenhower with Inch and Company, reiterated construction activities were reviewed and approved.

**EXECUTIVE SESSION (9:12 – 9:48 p.m.) – Various Legal Matters**

Mr. Brandstedter adjourned to executive session to discuss various legal issues relative to State Street; MacGregor Downs Stormwater Facility and 2950 Lewisberry Road.

**MANAGER'S REPORT**

Item #29 - Mr. James reminded board members of "Statement of Financial Interest" forms are due by May 1, 2022.

**OTHER BUSINESS/REPORTS**

Police Chief Lash reported the two (2) patrol car License Plate Reader devices purchased by Manchester Township have been operational since January 27, 2022 in Manchester Township and have led to 104 traffic stops.

**APPROVAL OF VOUCHERS**

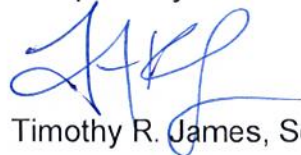
Ms. Brennan made a motion, seconded by Ms. McCune, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: January 4 – 18; January 19 – February 8, 2022.

Motion carried. Ayes-4 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 9:50 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