

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

December 13, 2022

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, December 13, 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
Lawrence V. Young, Solicitor
BJ Treglia, CS Davidson, Inc.
Daniel Hoff, YAUFR Fire Chief
David Lash, NYCRPD Police Chief

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 November 8, 2022 meeting as submitted.

Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

Resolution #2022-15 – 2023 Budget

As reported in item #2 of the manager's report, Mr. James advised per November 8, 2022 Board of Supervisor's action, the 2023 proposed budget summary was advertised in the November 11, 2022 legal classified section of the York Newspapers. Mr. James stated the total proposed 2023 budget is \$17,756,030.

Mr. Inch made a motion, seconded by Mr. Miller, to adopt Resolution #2022-15 that adopts the 2023 budgets and establishes a 2023 general fund real estate tax rate of one mill (1.00) of taxable assessed value, and all other tax rates and service fees as introduced at the November 8, 2022 meeting and advertised on November 11, 2022.

Motion carried. Ayes-5 Nays-0.

Short Term Rentals

As summarized in item #3 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 if multiple complaints have been received on this matter or if it is an isolated concern. Kevin Brick, 1312 Briargate Drive, and representing the Brittany HOA, was present to request assistance from the township to assist with ongoing unregulated short term rental property in 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.

Resolution #2022-13 – Recreation Facilities Rental Rates

As summarized in item #4 of the manager's report, Mr. Miller provided a report on the recommendation from the Manchester Township Recreation Commission to reevaluate raising fees for park building rentals due to additional cleaning costs and increased damage from renters. Mr. Inch made a motion, seconded by Ms. Brennan, to adopt Resolution #2022-13 establishing daily rental fees for Emigsville Park Scout and Johnston's Park Buildings to \$175 for residents and \$300 non-residents: plus, a refundable security deposit of \$250.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS

Divert York - Final Subdivision Plan – Review #2022-20

Attorney Jon Andrews with McNeese Wallace and Nurick was present to present the final subdivision plan for Divert York to subdivide an existing 140.45-acre lot along Blackbridge and Flour Mill Roads located in a Heavy Industrial (HI) zone into two lots. Mr. Andrews reported special exceptions have previously been granted by the Zoning Hearing Board. Mr. Inch made a motion, seconded by Ms. McCune, to approve the following waivers:

- a) SALDO 22-303.1 – Requirement to submit a preliminary plan.
- b) SALDO 22-401.3 – Requirement to utilize a maximum plan scale of 1"=100'.
- c) SALDO 22-404.4.16 – Requirement to show topographic contours.
- d) SALDO 22-703.2.2 – Requirement to provide concrete curb.
- e) SALDO 22-709.3 – Requirement to provide concrete sidewalk.

Motion carried. Ayes-5 Nays-0.

Mr. Inch made a motion, seconded by Ms. McCune, to approve the Divert York Final Subdivision Plan (Review #2022-20) located along Blackbridge and Flour Mill Roads, subject to the completion of outstanding comments.

Motion carried. Ayes-5 Nays-0.

Manchester Commerce Center Developer's Agreement

As summarized in item #5 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Miller, to authorize the Chair or Vice Chair to execute the developer's agreement between the township and Northpoint associated with the Manchester Commerce Center proposed project.

Motion carried. Ayes-5 Nays-0.

CPA Appointment – 2022 Financial Statements

As summarized in item #6 of the manager's report, Mr. Inch made a motion, seconded by Ms. Brennan, to appoint Kochenour, Earnest, Smyser and Burg, CPA to complete the township audit/financial statements for 2022.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2023 Construction Materials/Equipment Rental

As summarized in item #7 of the manager's report, Ms. McCune made a motion, seconded by Ms. Brennan, to authorize the manager, engineer, and public works superintendent to prepare specifications using prevailing wage rates and advertise for bids for contracts for supplying construction materials and equipment rental for the period May 1, 2023 until April 30, 2024 with the bid opening by the staff to be scheduled prior to the regular April 11, 2023 board meeting.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2023 Budget Capital Projects

As summarized in item #8 of the manager's report, Ms. McCune made a motion, seconded by Ms. Brennan, to authorize the manager, public works superintendent, and engineer to prepare the design, specifications, bidding documents and advertisements for capital projects which were included in the 2023 combined sewer operating; capital reserve; ARPA and unreserved funds.

Motion carried. Ayes-5 Nays-0.

Correction – Ordinance #2021-11 – 700 N. George Street

As summarized in item #9 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Miller, to authorize the Solicitor to advertise a correction to previously adopted Ordinance #2021-11 for the rezoning of a portion of 700 N. George Street from Residential Low (RL) to Industrial (I) zoning density.

Motion carried. Ayes-4 Nays-0 (Inch abstained).

CDBG Emigsville Curb/Ramps Project

As summarized in item #13.c. of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to accept construction contract with Kinsley Construction at low

bid of \$226,900 for handicap ramps and curbs project in Emigsville in relation to CDBG grant(s) award.

Motion carried. Ayes-5 Nays-0.

In addition, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Chair or Vice-Chair to execute the amended CDBG agreement for funding in 2022 instead of 2023.

Motion carried. Ayes-5 Nays-0.

State Street Sinkhole/Sewer Project – Change Orders

As summarized in item #13.f. of the manager's report, Mr. Inch made a motion, seconded by Ms. McCune, to approve Change Order #2 of \$17,307 for Kinsley Construction to remediate additional void areas discovered in repair of State Street sinkhole/sewer project. †

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. Lettice Brown, 538 Pacific Ave. and Sue Davis, 521 Linden Ave. were present to question proposed development at 700 N. George Street. Matt Gallagher of Historic York, expressed concern on the impact of the Historic Willis House in relation to industrial development at 700 N. George St.

MANAGER'S REPORT

Item #21 - The Board of Supervisors decided to hold 2023 meetings on the second Tuesday of each month at 6 p.m., with the exception organization and regular meeting to be held on January 3, 2023 beginning at 5 p.m.

EXECUTIVE SESSION (7:31 – 8:08 p.m.)

Mr. Brandstedter called for an executive session to discuss April 4, 2021 toddler incident legal action and ODCC/Brittany Stormwater Project negotiations.

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. Brennan made a motion, seconded by Mr. Inch, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: November 22 and December 13, 2022.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Inch made a motion to adjourn the meeting at 8:09 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. R. James', written in a cursive style.

Timothy R. James, Secretary

TRJ/jas