

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

December 14, 2021

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting on Tuesday, December 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, NYCPRD 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.

RECOGNITION OF PUBLIC SERVICE – Lisa Wingert

Mr. Brandstedter presented Ms. Wingert with a service plaque for her 24 years of service as a Supervisor for Manchester Township. The Board members thanked her for her lengthy service and wished her well in her future endeavors.

EXECUTIVE SESSION

Ms. Wingert announced an executive session was held on December 3, 2021, to discuss negotiations related to the proposed sale of the York City Sewer System.

APPROVAL OF MINUTES

Ms. Brennan made a motion, seconded by Ms. McCune, to approve the meeting minutes of the November 9, 2021.

Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

Rezoning Petition – 700 N. George St. Associates – Prospect Hill Cemetery

As summarized in item #2 of the manager's report, Ms. Wingert reported on the receipt of public and developer testimony with the required public hearing held on December 14, 2021 and requested any added information from any parties before action consideration. After a brief discussion, Mr. Brandstedter made a motion, seconded by Ms. Wingert, to approve the rezoning petition previously submitted by 700 North George Street Associates, Ltd., for amending the township zoning ordinance and map for a

52.1-acre parcel of land in the southern portion of the township from Residential Low (RL) to Industrial (I) density zone.

Motion carried. Ayes-3 Nays-0 (Brennan and Inch abstained).

Stormwater Matters

As summarized in item #3 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. Mr. Treglia also provided an update on the State Street sinkhole analysis. Solicitor Young also provided an update on the deed for the MacGregor Downs stormwater facility.

York City Sewer – Intermunicipal Agreement

As summarized in item #4 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 #5 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.

Canal Road Betterment Project Developers Agreement

As summarized in item #6 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.

Ordinance #2021-09 - Fireworks

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 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. Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt Ordinance #2021-09 establishing regulations for fireworks; provides enforcement by police and associated fees and penalties.

Motion carried. Ayes-5 Nays-0.

Resolution #2021-24 - 2022 Budget

As reported in item #8 of the manager's report, Mr. James advised per November 9, 2021 Board of Supervisor's action, the 2022 proposed budget summary was advertised in the November 12, 2021 legal classified section of the York Newspapers. Mr. James stated the total proposed 2022 budget is \$16,232,900.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt Resolution #2021-24 that adopts the 2022 budgets and establishes a 2022 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 9, 2021 meeting and advertised on November 12, 2021.

Motion carried. Ayes-5 Nays-0.

Ordinance #2021-10 – Handicap Parking Request – 3252 Broad Street

As summarized in item #10 of the manager's report, Mr. Inch made a motion, seconded by Ms. Brennan, to adopt Ordinance #2021-10 creating a handicap parking space at 3252 Broad Street.

Motion carried. Ayes-5 Nays-0.

Alert Fire Company

As summarized in item #11 of the manager's report, Justin Sowers and Chris Matles representing the Alert Fire Company Building Committee were present to present a request for funding assistance for capital improvements planned for the Alert Fire Company station at 3118 North George Street. Mr. Sowers and Mr. Matles described the capital improvement project, provided a financial picture for the project and requested funding assistance from the township of \$500,000 toward the \$2,129,349 project. After the presentation and discussion, the Board agree to have further discussions at future meetings.

NEW BUSINESS

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

Adam Davis, BL Companies, and Matt Clymer, MPRI Willow Springs LLC, were present to present a preliminary land development plan for Expressway Commons Center, to construct a 403,000 sq. ft. facility and a 270,920 sq. ft. facility on property located at 480 Willow Springs Lane owned by MRPI Willow Springs, LLC on a total of 93.54 acres. Engineer Treglia provided feedback on the open items associated with the plan. After a lengthy discussion, Mr. Clymer requested the plan be tabled to a future meeting to allow time to complete some of the open items. Mr. Brandstedter made a motion, seconded by Ms. McCune, to table the preliminary land development plan (Review #2021-09) until a future date.

Motion carried. Ayes-5 Nays-0.

CPA Appointment – 2021 Financial Statements

As summarized in item #12 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to appoint Kochenour, Earnest, Smyser and Burg, CPA to complete the township audit/financial statements for 2021.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2022 Construction Materials/Equipment Rental

As summarized in item #13 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, 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, 2022 until April 30, 2023 with the bid opening by the staff to be scheduled prior to the regular April 12, 2022 board meeting.

Motion carried. Ayes-5 Nays-0.

Bid Authorization – 2022 Budget Capital Projects

As summarized in item #14 of the manager's report, Mr. Inch 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 2022 combined sewer operating; capital reserve; ARPA and unreserved funds.

Motion carried. Ayes-5 Nays-0.

Right-of-Way Dedication – Portions of Busser and Emig Roads / Offsite Improvement Agreement

As summarized in item #15 of the manager's report Solicitor Young provided background on the requested action to execute deed of dedications for both 320 Busser Road and 295 Emig Roads per PennDOT's requirements relative to intersection improvements. Attorney Jon Andrews representing Core 5 Partners, LLC, provided additional feedback on the right-of-way dedications and amended offsite agreement. Ms. Wingert made a motion, seconded by Mr. Inch, to authorize the execution of deed of dedications for right-of-ways at 320 Busser Road and 295 Emig Road between Manchester Township and PennDOT for the signal improvements at the intersection of Emig and Busser Roads.

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

Additionally, Ms. Brennan made a motion, seconded by Ms. McCune, to authorize the Chairperson or Vice-Chairperson to execute the amended offsite agreement with Core 5 Industrial Partners, LLC for offsite improvements relative to the Codorus Creek Phase 1 development.

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

Auditor Appointment

As summarized in item #16 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to appoint Ward Linder as Manchester Township Auditor to serve a two-year term (2022-2023).

Motion carried. Ayes-5 Nays-0.

3284 Raintree Road – Sanitary Sewer Easement Agreement

As summarized in item #28 of the manager's report, Mr. Inch made a motion, seconded by Ms. Brennan, to approve Mr. and Mrs. Smith's request to place a fence within the township sewer easement at 3285 Raintree Road per agreement establishing with the understanding that if necessary to remove and/or replace fence for work within easement the associated costs will be burdened by homeowner.

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.

Attorney Paul Minnich and Developer Hugh Simpson representing Susquehanna Trail Apartments were present to present a concept in hopes of reducing the zoning ordinance requirement of 2.5 parking space per apartment. Attorney Minnich questioned if the Board of Supervisors would be willing to have further discussions on a concept that may reduce the 2.5 space requirement down to 2 spaces, with the inclusion of a bonded amount for improvements to reach the 2.5 space quota after five (5) years post initial construction, if the 2 space construction is problematic for the township. Mr. Simpson stated that their local complex experiences indicate 2.5 spaces may be excessive. After further discussion, the Board of Supervisors agreed to have ongoing discussions about the concept, but this may ultimately require the developer to submit a variance to the Zoning Hearing Board.

MANAGER'S REPORT

Item #26 - Mr. James reminded the Board of Supervisors the combined organizational and regular meetings will be held on January 3, 2022 at 6:00 p.m.

OTHER BUSINESS/REPORTS

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

Mr. James reported on the interest to have Felicia Dell, Director of York County Planning Commission to attend the Board of Supervisors meeting on February 8, 2022 for discussion regarding Exit 26.

APPROVAL OF VOUCHERS

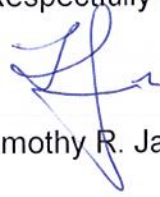
Mr. Brandstedter made a motion, seconded by Ms. McCune, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: November 10 - 22; and November 23 – December 14, 2021.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 9:12 p.m.

Respectfully submitted,

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

Timothy R. James, Secretary

TRJ/jas