

EAST MANCHESTER TOWNSHIP
Board of Supervisors
February 12, 2019

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Stephanie Kogut, David Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Masemer, Recording Secretary, and 14 citizens.

At a regular meeting held at the township building, Chairman Steven H. Gross, Jr. called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the Flag of the United States of America.

Chairman Gross disclosed that since the meeting of January 7, 2019, the Board neither met nor conducted any business.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the Reorganization meeting of January 7, 2019. All members voted aye; motion carried.

For the minutes of the regular meeting of January 7, 2019, there is one correction: Under the Supervisor's comments, the man's name is Denny, not Danny. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the regular meeting of January 7, 2019, as amended above. All members voted aye; motion carried.**

Public Comments

Mike Grotehouse, 1215 Canal Road Extended, asked about any progress on a runoff problem in his area. Mr. Trout reported that he examined the area and was hard pressed to identify any major runoff problems. Mr. Grotehouse presented photos showing his concerns. He feels that the recently constructed berm is causing the problem. What if there's such an amount of water that his driveway washes out? Would he be responsible for repairing this damage? Mr. Trout appreciated the photos and Mr. Grotehouse's concern, and he will continue to monitor the situation. Perhaps the runoff is increased due to the construction being done in the area. Now's the time to address this issue, certainly.

Emergency Services Report

Fire Chief's Report – Chief Stevens emphasized the importance of the ISO inspection and rating. This rating affects anyone in the township purchasing homeowner's insurance (who knew?!).

How are the Mt. Wolf accounting measures proceeding? Per Andy Rouscher, it's going very well, inspection of records to be done in April, after tax season.

Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize Fire Chief Joe Stevens to sign off on any changes to the fire boxes as necessary. All members voted aye; motion carried.

EMS TMI Drill – Supervisor Rudisill reported that he attended the drill; the computer network needs work to better serve the volunteers during a drill. Mr. Gentzler will see to this correction.

Special Requests

Tax exonerations – **Motion by Chairman Gross, second by Supervisor Rudisill, to exonerate the names of the people on the list, per the recommendation of the tax collector, noting that the people on this list are either deceased or have moved from the Township. All members voted aye; motion carried.**

2018 and 2019 Tax Collector request – It was noted that the Tax Collector receives a stipend for enumerating the tax records. This stipend was unpaid by the Township in 2018. **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the stipend to the Tax Collector in the amount of \$836.00 for 2018 AND \$836.00 for 2019. All members voted aye; motion carried.** **Question: did the Board act on a Resolution on this matter on October 11, 2016? No, per Mr. Gentzler’s checking tonight. None needed, after discussion.**

Correspondence

DCNR Recreation and Conservation Grants Program – no comments

Zions View Road conditions – to be addressed at the plan stage of tonight’s meeting

Solicitor’s report – Attorney Stephanie Kogut

- Canal Road Betterment Task Force – Agreements were returned today with comments; this issue will be addressed in March.
- Tax Rate Resolution #2019-6 – **Motion by Chairman Gross, second by Supervisor Rudisill, to adopt Resolution #2019-6. All members voted aye; motion carried.** It was noted that the tax rate remains the same for 2019.
- Paradise Township Traffic Fine Reimbursement – check received from Paradise Township to correct an error on the part of the Clerk of Courts. Paradise Township was commended for returning the funds; Paradise wants East Manchester to sign a release in receiving the funds. **Motion by Chairman Gross, second by Supervisor Rudisill, to sign the release, accept the payment, and to send a letter of commendation to Paradise Township for resolving this matter. All members voted aye; motion carried.**
- Buffer and Screen Zoning Ordinance Amendments – tabled last month. *Tabled again for now.*
- Update to Motor Vehicle and Traffic Regulation Ordinance – also tabled last month. Mr. Gentzler reported that a survey was just completed of the parking and speed limit information; to what speed would the Board like to lower the speed limits on certain roads? From 40 to 30, per Mr. Gentzler’s recommendation? The Board members will consider. Supervisor Rudisill asked for police confirmation on any speed limit violations on those roads in question before the Township spends the funds to correct the signs. Perhaps there are none. Mr. Gentzler noted that the road crew has witnessed speed violations on these roads, especially on Beshore School Road; hence the discussion in the first place. Mr. Gentzler will ask the police department for any violations. Stand by.
- General Ordinance Amendments – several ordinance amendments under construction. Mrs. Masemer reported on these amendments as proposed. Discussion was held on the grass/weeds/shrub issue and the short-term rental (air bnb) issue. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to authorize the advertisement of the grass/weed ordinance for adoption. All members voted aye; motion carried.**
- Fireworks Law Update – no little parking lot tents permitted.

Engineer’s report – Byron Trout

Inspections

Plan reviews

Correspondence – Mr. Trout reported that, per Mr. Gentzler’s request, he is providing an estimate for the design of salt building, drawings, etc. The price quoted is for everything *except* a portion of the bid contracts. The architect’s quote: \$16,280.00; Mr. Trout’s estimate to do everything, \$20K max.

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Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to authorize Gordon L. Brown to provide the design and bid package for the salt building NTE \$20K. All members voted aye; motion carried.

MS4 and Chesapeake Bay Plan – no discussion tonight.

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the surety reduction request of Tiger Trash in the amount of \$285,523.70, leaving a balance of \$0, per the recommendation of the Township Engineer. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the full surety release request of Orchard Business Park Phase II, Lot 1, in the amount of \$259,749.00, leaving a balance of \$37,313.37, per the recommendation of the Township Engineer. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the surety reduction request of Orchard Business Park, Lots 6 and 9A, in the amount of \$490,056.05, leaving a balance of \$221,745.21, per the recommendation of the Township Engineer. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the full surety release request of Orchard Business Parking Lot, Lot 6, in the amount of \$133,633.01, leaving a balance of \$0, per the recommendation of the Township Engineer. All members voted aye; motion carried.

FYI, Mr. Doland, stormwater complaint – the resolution of the issue is at a standstill. Mr. Trout would like permission to work with the Township Solicitor's office to get some relief for Mr. Doland. Permission granted.

Secretary/Treasurer/Manager's report – Dave Gentzler

Northeastern York County Sewer Authority – nothing to add, except that the President of that Board passed away unexpectedly, so Mr. Klinedinst is now the President for the balance of 2019.

Recreation Board – There is currently no functioning Recreation Board, but the director of the summer program would like to appoint people. This would not a good idea, per the Board of Supervisors. No one to be appointed to the Rec Board at this time.

Public Works Director's report—nothing to add to the report.

Mr. Gentzler reported that he got a quote for a tailgate-mounted calcium tank to be used when it's too cold for road salt to work. Doesn't happen often, but with very cold temperatures, it would be useful and worthy to use. Using the liquid calcium cuts down on the salt use and makes the salt more efficient as well. Refill of the tank would be done at two locations, not at the Township Building. This is for a 100-gallon tank; how much road would that cover? Should do a ten-wheeler load of salt; maybe 15 miles, as a guess. Should it be larger? Mr. Gentzler will check and report back.

Mailboxes – current policy is to not fix mailboxes if damaged by the snowplow. If the plow driver reports that he damages a mailbox, should the resident receive a fixed fee of a certain amount? Certainly, the Township should not be actually fixing the mailboxes. You know, things happen sometimes. Mr. Gentzler told a story that, just last night, a plow driver actually backed over a mailbox and wrecked it. In that instance, yes, the Township should fix that. Flat fee? Road master's discretion? Individual basis? Yes, individual case-by-case basis at the roadmaster's discretion.

FYI -- Road work and supplies bid opening in April.

Mr. Gentzler requested an Executive Session following tonight's meeting.

Zoning Officer's report – Mrs. Masemer presented an Easement Agreement with 135 Austin Drive. The homeowners would like to put a fence at the rear of their property. As long as the fence is 5' off the easement, should be good. **Motion by Chairman Gross, second by Vice Chairman Naylor, to grant**

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the easement for 125 Austin Drive, per staff's recommendation. All members voted aye; motion carried.

Next – Mrs. Masemer reported on her search for a website provider. She received one quote for over \$6K, obviously not recommended! Another firm quoted \$3K with monthly hosting fee. Mrs. Masemer feels that this firm would provide a website that is more organized, employ a search bar, permit staff members to make changes and post an “emergency banner” if needed; the website would be mobile-friendly, with links included and would be similar to Newberry Township’s website. Very user-friendly and simple to update. The monthly fee is \$50: the provider would handle security on the website, maintain files, handle glitches or errors, handle traffic on website. This is the hosting responsibility. Mrs. Masemer was very pleased with the vendor’s presentation and the possibilities that the new provider would offer. So, where would these funds come from? Mr. Gentzler would have to check. How about taking a month to look at Newberry’s site and go over any questions, etc.? Great idea.

Next – on the plans on the agenda; no open items on KS Tooling and 3810 North Sherman Street.

Next – snow and ice citations are going better this time around. Half of the people charged have paid; the deadline is February 14. Great.

Land Development/Subdivision –

A. 3810 North Sherman Street Extended, Plan #Z-0021– Zane Williams was present on behalf of Mr. Eaton. The applicant wants to join the vacant lot to his existing residential lot. No outstanding issues. **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve Plan #Z-0021, reverse subdivision, 3810 North Sherman Street Extended. All members voted aye; motion carried.**

B. KS Tooling – Building expansion, Plan #2018-0167.00 – Ed Van Arsdale, Warehaus, was present on behalf of the applicant. KS Tooling would like approval for a 31K building expansion to the existing facility with parking and trailer unloading area. This plan was conditionally approved ten years ago or so but was never completed. The applicant resubmitted this plan to finally proceed with the project. No outstanding items. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve Plan #2018-0167.00, KS Tooling. All members voted aye; motion carried.**

C. 84 Zions View Road – line of sight – Joe Stine, Warehaus, was present on behalf of the applicant to address concerns with the development of the site; deviations from the final plan approval. In comparing the approved plan and the actual landscaping, it was discovered that there might be some issues. They are proposing to raise the berm height to prevent the surrounding homeowners from seeing the building. Revised grading plan presented. Also, the applicant will certainly work with Mr. Grotehouse and Mr. Trout to alleviate Mr. Grotehouse’s stormwater runoff concerns. Building height was lowered a bit. All good. Mr. Trout is satisfied with these changes. The slope ratio is not affected. Discussion was held on the feasibility of a more pronounced swale in the area to alleviate the runoff that causes problems for Mr. Grotehouse. House removal is in the works. Chairman Gross strongly recommended that the house removal be expedited to help the company’s public image. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the Plan LD 63, 84 Zions View Road, as amended, showing the change of the berm, buffer trees, and the addition of a revised grading measure for the stormwater management facility at the base of the berm, and to get an as-built plan for the plan set that shows these changes, all subject to the approval of the Township Engineer. All members voted aye; motion carried.**

D. 84 Zions View Road – stormwater basin revision – this is an agreement between 84 Zions View and 795 Canal Road, the Texter property. It was discovered that the distance between the basin and the property line was too small, putting the stormwater basin in noncompliance. The staff

recommendation and Planning Commission's recommendation, too, was to move forward with the subdivision plan as proposed, providing revised stormwater calculations for the newly configured basin. Basin was reconfigured, re-shaped, etc. This is essentially a land swap, to make the stormwater basin compliant and to ensure that Mrs. Texter can keep her lands in the Clean and Green program. This plan will be presented to the Planning Commission in a few weeks, then will be presented to the Board of Supervisors in March.

Discussion was held on the current state of affairs surrounding this plan and the construction, with it being noted that there are so many complaints being received. The LERTA program is in jeopardy with the construction of this project. All comments so noted by the applicant's representative.

Supervisor's comments

Vice Chairman David L. Naylor – what's the progress on the renaming of Saginaw Park? Well, since there's no Recreation Board, no action has been taken. The Board asked Joel Klinedinst to investigate the matter to see what would be an appropriate monument/tribute and how much it would cost. Will do. Also, what is the status on the Dollar General plan? The plan was actually withdrawn. Also, Vice Chairman formed an Emergency Services Panel. This Panel will meet with the fire chiefs soon.

Supervisor Barry E. Rudisill – has the dusk to dawn light at the picnic area been repaired? Think so, Mr. Gentzler will check. Also, the junked television at Codorus Furnace and Riverview is still there; will be removed. Also, interchange at Canal Road still under discussion, with some slight progress being made.

Chairman Steven H. Gross, Jr. – nothing.

Motion by Chairman Gross, second by Supervisor Rudisill, to pay the bills as presented. All members voted aye; motion carried.

At 9:10, the Board *recessed* to an Executive Session to discuss personnel matters.

The meeting reconvened at 10:05p.m. No further business was conducted.

Motion by Chairman Gross, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 10:10p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary