

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**October 9, 2018**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Masemer, Recording Secretary, and 19 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 September 11, 2018, the Board neither met nor conducted any business.

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of September 11, 2018. All members voted aye; motion carried.**

**Public Comments**

William Marks, 685 Apple Tree Lane, Sherman Oaks, asked about the final coat of the streets in Sherman Oaks. Mr. Gentzler noted that the second coat has indeed been placed. Mr. Marks feels that the surface isn't going to hold up very well come winter. Time will tell, he feels. Mr. Gentzler feels that it should be fine; the micro-surfacing has been holding up for 8 to 10 years after placement.

Dave Bloss asked if the Township contacted GSK about the grass being very high. Mrs. Masemer will address it by sending a letter, and Mr. Trout will visit the site tomorrow.

**Emergency Services Report**

Fire Chief's Report – Eagle's and Northeastern EMS reports are in front of the Supervisors. Plus, it's Fire Prevention Week; there are open houses at both stations on Wednesday, from 6 to 8 p.m. Eagle's chief Jacob Busch noted where the fire trucks will be parked for the children to enjoy.

Fire Company Workman's Comp Insurance – Mt. Wolf Borough and Manchester Borough – Vice Chairman Naylor noted that it seems that EMT pays twice for the residents' protection around the area. Perhaps this could be better divided... Chairman Gross recommended *tabling* paying the Workman's Comp payments until these numbers can be reviewed and possibly amended.

Volunteer Fire Relief Association – \$47,256.09 was received. The Township has 60 days within which to distribute these funds. Mr. Busch was questioned on the mix-up with the past funds. The discrepancy has been corrected. He corroborated that money was indeed borrowed from the past Relief funds to keep the General Fund afloat briefly, and that money was repaid right away. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to distribute to \$28,000 Union Fire Company and \$19,256.09 to Eagle Fire Company. All members voted aye; motion carried.**

How about a disbursement to the ambulance club? The representative from the audience said, no, the ambulance club is not permitted to accept relief funds.

**Special Request**

York Water Company – fire hydrant installations – Chief Stevens has approved the proposed locations as presented. **Motion by Chairman Gross, second by Supervisor Rudisill, to approve fire hydrant locations as presented. All members voted aye; motion carried.**

## Correspondence

Nothing of note to report.

## Solicitor's report – Attorney Andrew Miller

- Canal Road Betterment Task Force – Attorney Miller reported that the Developer's Agreement is in the works and is being reviewed and revised.
- Buffer and Screen Zoning Ordinance Amendments – EMTPC reviewed and made comments. The Planning Commission recommended that these amendments be tabled until such time as a new Comp Plan is developed. Attorney Miller feels that the Township should delay consideration until November, after the YCPC review of the draft.
- Stormwater Authority Letter – letter to the Commissioners – AND Resolution 2018-11, which is the Resolution formally opposing the creation of the new county stormwater authority. It was noted that several other municipalities are following suit. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Resolution 2018-11, as presented. All members voted aye; motion carried.**
- Update to Motor Vehicle Traffic Regulation Ordinance – this amends the sidewalk ordinance to provide for a ticketing process for failure to clear snow/ice from sidewalks after a storm. Also, no parking permitted on any township street during a storm. The Supervisors will review this carefully for another month and will act in November.
- Zions View Road stormwater – Mr. Gentzler reported that the developer wants to work outside the normal “quiet hours” time. The Township is not in favor of this request out of consideration for the surrounding neighbors. Attorney Miller noted that the language in the Agreements should cover any violations to any Township ordinances, which would include the noise ordinance. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the Developer's Agreement and the Stormwater Agreement for Zions View. Attorney Miller should please remind the applicant of the noise ordinance hours. Two members voted aye; Chairman Gross abstained. Motion carried.**

## Engineer's report – Byron Trout

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plan

Penn Waste hit an unmarked conduit line and had to have it repaired. Also, Mr. Trout feels that there's “an illicit discharge” into the inlet in the Steamboat Boulevard area. He will be checking into this, possibly with sampling testing. Go for it.

Also, on Zions View Road, there was a stormwater complaint. Water is coming from an existing stormwater basin, causing problems for a downstream resident. Mr. Trout will be following up on this situation as well.

He also had a complaint about standing water and a mosquito population on Dellinger. The resident, Mr. Parthmer, isn't willing to do anything to fix the issue but he will grant the Township an easement to take care of the problem. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to authorize the road crew to take steps to treat the mosquito population problem, and send the bill to the quarry, since their construction of the berm caused the problem, per Mr. Trout. All members voted aye; motion carried.**

**Secretary/Treasurer/Manager's report – Dave Gentzler**

Sewer Authority – Minutes are available. From Vice Chairman Naylor, to clarify – the camera truck was nixed – no one is qualified to operate it, per Joel Klinedinst.

Notes from activities of NYECSA for August/September are available.

Recreation Board/2019 Joint Operating Budget -- minutes available.

Recreation Board resignations – **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to accept, with regret, the resignations of the Dunbars as of 12/31/18, with a letter to be sent to them, thanking them for their service to the Township. All members voted aye; motion carried.**

York Area RC Club, concession stand – no real discussion was held.

Public Works Director –

Summer work to be finished; leaf collection to begin when warranted, around the end of October.

Zoning Officer – several violations were processed in the last month. There will be a Zoning Hearing Board meeting this month for 229 Torrey Pines Drive, a request for a Variance for setback encroachment for an addition to a single-family dwelling; the addition is proposed to encroach 2' into the setback of 15'.

The Planning Commission will also meet this month to look at the Dollar General plan.

Supervisor Rudisill referred to the Sherman Street property, where the vegetation is all grown up, but the owner claims it's "ornamental" and, according to the ordinance, nothing can be done about it. Should that ordinance be changed? Also, Mr. Naylor brought up the matter of STRs -- "short-term rentals" -- and blighted properties, too. Put those on the list of items to be revisited for ordinance changes. Attorney Miller can work with Kristie to draft some samples for the Board to review. Also, what to do for these false alarms that the fire company is responding to? Add that to the list as well. It was noted that an empty warehouse at 700 Canal Road is the source of quite a few false alarms; Chief Stevens has spoken with the appropriate person, who has stated that there's a leak in the system. Chief Stevens advised him to take that building off the fire reporting system until they fix the problem so that the volunteers aren't called to this property for no reason time and time again. There was a discussion of charging the business in some way for the false alarms.

Marc Goldsmith, Johnson Controls, offered to step in to see if he can be of any assistance, as his business and the 700 Canal Road business work together. Great idea. Most appreciated.

**Land Development/Subdivision –**

Dollar General

Attorney Stacy McNeal was present on behalf of Mr. Kraft. Chairman Gross noted that Ms. McNeal also represents the Township Sewer Authority, and here she is representing a developer or the like, which he feels is inappropriate. Ms. McNeal said that she's representing Mr. Kraft, who is concerned about the proposed left-turn lane for the Dollar General plan. She noted that PennDOT's study indicated that a left-turn lane is not warranted for the Dollar General proposal. Negatives to adding this left-turn lane when it's not warranted? Additional maintenance of pavement; stormwater management requirements; cartway widening gets closer to the residents' front yards/steps. Clearly, a left-turn lane is not required by the Township ordinance. Mr. Kraft feels it wouldn't be practical to add that lane at this time. Mr. Rudisill feels that the turning lane is required for safety reasons.

How about the executed agreement from 2016, between the Township and the applicant? It's not

the Board's fault that the applicant didn't make these improvements. Ms. McNeal feels that the Agreement is not valid, "per this Board's Motion." The minutes from the meeting of February 14, 2017, page 4, were distributed and checked. Yes, the plan had been withdrawn and the Agreement is invalid. Ms. McNeal is indeed correct.

Mr. Gentzler feels that new traffic studies are warranted, as it's two years later. Mr. Kraft is on board with that request, per Ms. McNeal. Supervisor Rudisill and Vice Chairman Naylor feel that a new traffic study isn't going to change their minds on whether a left-turn lane is required. They feel that it is warranted.

The developers are working with Mr. Trout on the stormwater plan, and resolution of other issues are in progress.

### **Supervisor's comments**

*Vice Chairman David L. Naylor* – Of course, the Township wants to attract and keep good industrial partners, however, if the industries are becoming a burden in the way of the fire alarm situation, it might be time to request some sort of monetary compensation from the businesses.

*Supervisor Barry E. Rudisill* – is the E & S Plan for 84 Zions View approved? It's been submitted. The usual Blossom Drive property needed to be mowed; Mrs. Masemer has spoken to the owner, who has been working on the problem. She feels that he is cooperating, albeit slowly. Also, the holding tanks requested by the church for the picnic area – any progress? Not yet. Did Mr. Gentzler reply to the County for convention attendance? Yes, *Chairman Steven H. Gross, Jr.* – Park Street has sewer issues and it's probable that public sewer lines should be extended. Let's start talking about it. The Township has to officially request that this project be started. Mr. Klinedinst is aware of this situation. How about Upper Creek Bottom? Yes, same situation, same awareness, same recommendation.

The Board has reservations about an audit situation with Mt. Wolf, which is why the Township has withheld its funding. **Motion by Chairman Gross, second by Supervisor Rudisill, to disburse funds as follows: Manchester Fire Department, \$37,500; Manchester Fire equipment \$13,000; All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to disburse \$2,000 to the Manchester Ambulance Club. All members voted aye; motion carried.** Chairman Gross noted that the honesty of the ambulance representative was most appreciated when she said earlier that the ambulance club was not permitted to be the recipient of Relief Association funds.

**Motion by Chairman Gross, second by Supervisor Rudisill, to disburse \$2,500 to the Senior Center. All members voted aye; motion carried.**

Johnson Controls representatives thanked the Township staff and Board members for all the efforts on JCI's behalf. Good to hear something positive! Bill Grove noted that, with regard to the fire department false alarms, it's sometimes better to bill a company for some services rather than try to get a donation out of the company. Marc Goldsmith reiterated his promise to try to help Kinsley figure out why their building keeps triggering the fire alarm. Great spirit of cooperation that will help everyone.

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

A budget meeting is set for October 24, 7 p.m.

**Motion by Chairman Gross, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 8:28 p.m.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary