

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**January 25, 2017**

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 10 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 on December, the Board met to reorganize on January 3, 2017. No minutes are available yet. Stay tuned. No other business was conducted since that meeting.

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of December 13, 2016. All members voted aye; motion carried.**

**Public Comments**

None at this time.

**Emergency Services Report**

Fire Chief's Report – no additions or discussion.

Eagle Fire Company – Polling Station letter was sent; many thanks.

Northeastern Area EMS – letter received indicating that the ambulance club is merging with the Thomasville Club. Chairman Gross took issue with the statement in the letter that the change was made with the accord of all municipalities involved, which is not strictly true.

**Special Request**

Tax Exonerations – requests by the tax collector on behalf of persons who are deceased, people who have moved from the Township, etc. **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve all 299 tax exoneration requests, per the Tax Collector's recommendation. All members voted aye; motion carried.**

**Correspondence**

Susquehanna River Basin Commission – public hearing to be held to request permission to withdraw water from the Susquehanna River for the golf course. Mr. Miller offered to contact the attorney for the applicant to get more details on this request, but no thanks.

Local Government Advisory Committee – anyone want to go to the meeting on February 1, 7 am? Probably no one from the Board, but Mr. Trout will check his schedule and the agenda and will attend if he's available.

**Solicitor's report** – Attorney Andrew Miller

- Code update – everything is up to date! Kudos all around.
- Municipal Waste contract – the current contract expires June 30, 2017. By general consensus, the Board agreed that the Solicitor should prepare and distribute bid package for review at the March Board meeting. At that meeting, the Board can authorize advertisement; open bids in April or May, giving adequate to re-bid if necessary. Mr. Gentzler would like to meet with Mr. Miller on

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the development of the bid package. From the audience, Scott Elfner would like to have a recycling totter bin included with the package. He would not be in favor of residents paying for electronic recycling. Discussion was held on splitting any tipping fee increase with the carrier; the tag-a-bag program; electronics disposal; large-item pick-up.

- Police Board – Attorney Miller reported that the police board was originally established as a 10-person board, and then it was reduced to 7 members. Because of that, the formulas for the cost-sharing were a bit skewed. In 2005, the police board changed the number of representatives, with no citizen-at-large member. It was agreed at that time that the Articles of Agreement would be updated in accordance with that action. This was never done. All Articles of Agreement have been entered into by members of the police board, not necessarily by the Board of Supervisors or other Township representatives. The Township's ordinance does not match what was in place in 2005. What to do? Update the Articles of Agreement to be approved by the Township; update the information to reflect the current situation.

Chairman Gross noted that the Township is currently paying 70% of the police budget, or \$1.2 million; Manchester Borough is paying \$340K; Mt. Wolf pays \$165K. Mr. Gentzler noted that the bylaws need to be revised and rewritten (a more robust set of bylaws is needed, Mr. Miller suggested). There has to be proper representation and cost-sharing.

From the audience, Scott Elfner asked if there would be a fee associated with dropping out of the police agreement, if it ever came to that. If that isn't addressed in the current Agreement, maybe it should be as an insurance measure.

By consensus, the Board agreed to authorize Attorney Miller to draft [and hold] a letter supporting the Township's position as discussed tonight. Mr. Miller outlined that position as follows: given the history and provisions in the ordinance, the police board and only the police board (or with the permission of the police board) can change the composition of the board. This was done in 2005 by the police board, and has been working smoothly since that time. The Township board members are not in favor of any addition to the police board and would not recognize any addition of a representative of any of the other municipalities involved. If East Manchester Township pays more of the budget, this Township should have more representation on the police board. From the audience, Joel Klinedinst suggested that Attorney Miller check to make sure the other municipalities have the same ordinance as the Township is using.

### **Engineer's report – Byron Trout**

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plans – DEP finally publicized a grant opportunity for the MS4 project. Deadline for application is March 3, 2017. Mr. Trout suggested that there are several Township projects that would likely qualify for this grant. Mr. Gentzler suggested the area where Musser Run crosses Creek Bottom Road. Discussion was held on the feasibility of this project being approved. The Board will review and discuss which project or projects to include with this grant application, and a decision will be made at the February Board of Supervisors meeting. Mr. Trout said that will afford him enough time to meet the application deadline. Fund awarding will be by September 1; funds must be spent by March 2018.

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

**Sewer Authority** – two sets of minutes are available for review. Rates should be equalized by 2020.

Invitation to the annual sewer meeting for February 13, 8 a.m. Mr. Gentzler will RSVP with the number attending.

**Recreation Board** – minutes are available for review. Mr. and Mrs. Hiliard are stepping down after 30 years of service!

**Public Works Director** – PennDOT permits received for sidewalks on George Street. Also, Mr. Gentzler reported on the EMT site plan for the future expansion of the Township facility. He presented a master plan proposal, and he outlined the phases of that project. He noted that the master plan can be adjusted at any time during the project. **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the master site plan.** *Discussion* – Chairman Gross does *not* approve of Phases 4 and 5, but that's years in the future. Mr. Gentzler noted that Phases 4 and 5 fit into the master footprint of the expansion, and it would be a good idea to include those phases in the land development plan at this point but that doesn't mean that the Township absolutely must go through with either of those phases. ***Vote on the Motion: All members voted aye; motion carried.***

**Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize Mr. Gentzler to proceed with obtaining the design of the parking lot and salt building with a land development plan and reverse subdivision. All members voted aye; motion carried**

Penn Waste Contract – discussed under Attorney Miller's report.

Nationwide 457 Deferred Compensation Plan – **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Resolution 2017-6, adopting the Nationwide 457 Deferred Compensation Plan for the Township employees AND to authorize the signature of same.** [No cost to the Township, optional for the Township employees.] **All members voted aye; motion carried.**

The TMI drill is scheduled for April 11, the same night as the Board of Supervisors meeting. The TMI team has requested the use of the meeting room for that night. An alternate meeting night for the Supervisors will be decided in March. Perhaps next year, the TMI team could use Conewago Township's meeting room.

**Zoning Officer** – Addendum to the report – two applicants for junkyard operation renewals: 1277 Conewago Creek Road and 509 Jerusalem School Road; inspections were conducted and both properties passed. **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the applications for certificates for junk yard operations for 2017 as recommended by the Zoning Officer. All members voted aye; motion carried**

Dollar General Withdrawal – this applicant is requesting withdrawal of the subdivision plan for this project. **Motion by Vice Chairman Naylor, second by Rudisill, to formally accept the withdrawal of the plan AND to approve the return of \$4,237.68 in the escrow account and the letter of credit in the amount of \$104,864.65.**

Mr. Miller will check the development agreement signed with JJFour to make sure there's nothing to be modified, etc.

Medical cannabis – any questions on Mrs. Masemer's report information? Are any additions to the Zoning Ordinance required? Mr. Miller feels that the Act that governs this use pretty much covers

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any aspect of any application that would be submitted. Any application would likely be an Industrial use, and would be required to be in the Industrial Zone, with all accompanying regulations already in place. Mr. Miller cautioned the Board not to overreact to any possibility of a medical cannabis plant applicant coming to the Township. Mrs. Masemer will direct the two applicants to look at the Industrial Zone regulations.

Update on Orchard Business Park – last month the Board *tabled* the decision to split the applicant's surety. Mr. Miller noted that the paperwork is still not in place, and he recommended not taking any action until that paperwork is completed.

**Land Development/Subdivision –**

None this month.

**Supervisor's comments**

Vice Chairman David L. Naylor – none

Supervisor Barry E. Rudisill – none

Chairman Steven H. Gross, Jr. – none

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

**Motion by Chairman Gross, second by Vice Chairman Naylor, to *recess* for a brief Executive Session to discuss a personnel matter.** The meeting *recessed* at 8:45 p.m.

The meeting reconvened at 9:15 p. m.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill to authorize the Township Manager to hire Joshua Feaser, pending required pre employment testing and back round check, for the Public Works position of Operator/Laborer. All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to hold February payment to Northeastern Regional Police Department until further notice. All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 9:25p.m.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary