

EAST MANCHESTER TOWNSHIP
Board of Supervisors
November 14, 2017

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Stephanie Krout, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Masemer, Recording Secretary, and eleven 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 October 10, 2017, the Board met on October 25 for a budget workshop. That proposed budget is open for public inspection.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the meeting of October 10, 2017. All members voted aye; motion carried.

Public Comments

Floyd White, Board Road, Mt. Wolf, had a question about who's paying for the sidewalks that are being installed. Answer: the property owners. Also, Mr. White reported that, on the M & T Bank property, the No Parking sign has been down for the last three months. Mr. Gentzler didn't know that this sign was down; he will see that it is put to rights. Great! Third, at Santander Bank, it's dangerous to pull out of that entrance/exit when another vehicle is pulling in. That is likely a PennDOT issue. Mr. White also referred to a stop sign that mysteriously vanished. After he reported it, the sign was restored. All's good.

Emergency Services Report

Fire Chief's Report – no discussion or questions.

Motion by Vice Chairman Naylor, second by Chairman Gross, to release the retention money of \$5000 to Manchester Fire Co. All members voted aye; motion carried.

Laura Lash, Emergency Services, requested financial support for the LAS unit. Also, a check from the Relief Fund. She'd like the funds to come from the general fund, not the relief fund. Discussion was held; the discrepancy will be cleared up. Time is of the essence, however, so don't delay.

Motion by Vice Chairman Naylor, second by Chairman Gross, to rescind Vice Chairman Naylor's Motion for the \$4000 donation in the Supervisors' meeting minutes of October 10, 2017. All members voted aye on rescinding that October 10 Motion; motion carried.

Does the Township want to support the box card changes to have the local agency as first call? Two other municipalities have indicated support. Barry Albertson, a UPMC Pinnacle representative, was present; currently they do the ALS for this area. He said he wasn't aware of any changes to be made. It was noted that there might be downsides to adding another ALS provider. Discussion was held with both positions being presented. John Kottmeyer, representative of Northeastern Area EMS, was also present; he added comments in favor of having the local unit provide the ALS service.

Chairman Gross feels that the local ambulance company should be given a chance to proceed as
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requested. He's been impressed that the ambulance company's turnaround progress in recent months. Mr. Naylor doesn't want to burn any bridges with the UPMC service provider. Mr. Albertson noted that UPMC will still be on the job. Mr. Kottmeyer gave a little background on the legal issues that are currently being decided.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the Northeastern Area EMS be first on call. All members voted aye; motion carried.

The \$7200 for the ALS unit in question must be *tabled* until the Budget is examined further. Vice Chairman Naylor noted that the ambulance service is going to be making money on this new arrangement; why do the taxpayers have to help outfit the truck as well? Supervisor Rudisill noted that it's to the Township taxpayers/residents' benefit to have the new equipment. Chairman Gross feels that it would be a good-faith gesture to show support for the way the ambulance club has improved and extended service. Ms. Lash reiterated that she is donating her salary back to save the taxpayers money.

From the audience, Bob Nace commented in favor of the proposal. He feels that the monitor is a good idea for the residents. Besides, how would it look if the host municipality didn't support the EMS service in this way?! Joel Klinedinst agreed.

Vice Chairman Naylor is cautious, wondering if the ambulance club will be requesting funds for more equipment at a later date.

Special Request

York Road Runners Club Race Event –

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the request as presented. All members voted aye; motion carried.

Steve Garland, President of the Orchard Glen HOA, was present to discuss the situation in the development. He noted that there are all private roads in the development, and Penn Waste collects the trash. Recently, a Penn Waste truck leaked hydraulic fluid; Mr. Garland called the company to report it, and the company addressed the spill after two days. Mr. Garland requested a waiver from the Township to negotiate the development's Penn Waste contract as a separate entity, not as a part of the Township's contract. The HOA is quite upset with Penn Waste, both for the fluid leak and for the damage that their trucks have caused to the roads with their trucks. Because it is a private development, the HOA can conceivably restrict the kinds of vehicles that use their roads. The large trucks have damaged the roads, costing the HOA quite a bit of money in repairs. The HOA would like to have a bit more control over the situation. Mr. Garland suggested that if the HOA has its own contract with the trash company, the trash company would bill the HOA, the HOA would bill the individual residents, and the HOA would set aside a small portion of those funds as a repair reserve.

Mr. Gentzler spoke with Penn Waste and the Township Solicitor; the trash contract is already locked in; these homes are individually owned and should be billed accordingly. It was noted that the contract was recently renewed. It's unfortunate that the Township was unaware of this situation before that renewal. Ms. Krout couldn't give an opinion or advice on this issue; she can check with Attorney Miller.

Mr. Gentzler feels that if the Township grants this waiver, there's a danger of setting a precedent. Also, would the HOA restrict UPS and FedEx deliveries as well? It could happen. As for setting a precedent, Mr. Garland noted that this is the only HOA that has private roads. So, how will the HOA prove to the Township that it indeed has trash pickup? Mr. Garland says that Penn Waste is willing to negotiate with the HOA. It would be convenient to use Penn Waste because the Township already uses that company.

Amy Sterling, also with the HOA, feels that it would be better to have one bill to the HOA, as opposed to each homeowner getting a bill.

Mr. Gentzler noted that if the Orchard Glen HOA were withdrawn from the Township's trash collection numbers, the Township might need to renegotiate its contract because of the reduced numbers of residences involved.

The Board members need more information and advice on this situation. They will check with Mr. Miller for his advice and address this issue again at the December meeting.

No action was taken on the requests for tax exonerations.

Correspondence

York County Economic Alliance – Strategic Plan approved

York County Economic Alliance – letter of support

Northeastern Senior Community Center

Lion's Club parade next year is scheduled for October 21, 2018.

Solicitor's report – Attorney Stephanie Krout

- Act 42 of 2017 – Mini-Casino Legislation – the Township has the ability to opt out but this decision must be made before December 31, 2017. It's unlikely that East Manchester Township would be selected as a site. No action taken.
- Canal Road traffic improvements – the developers are still working on the Agreements that are needed; mid-December date for further action. A HOP is required; the Township will request that permit.
- PMRS Pension Plan document – The Board will discuss this process in an Executive Session following tonight's meeting.
- Tax Rate Resolution – will be presented for signatures. [See Motion near the end of this meeting.]
- Brunner Island fishing access – still a work in progress with little luck. The issue is whether the property is for public use. Brunner Island has decided to close the property to the public, thereby closing off the fishing access, and the public thinks that's not appropriate. Stay tuned.
- Tax Collector litigation – Ms. Krout reported on the progress of this lawsuit; a trial is set for early February 2018.

Engineer's report – Byron Trout

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plan

The state hasn't responded to the Township's PRP plan.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the surety release in the amount of \$145,653.75 for CAR Contracting, Inc., per the recommendation of the Township Engineer, leaving a balance of \$0. All members voted aye; motion carried.

A letter was sent to Rudy Park regarding storm water drainage issues that are affecting Sherman Oaks. This is also a work in progress, with several people/agencies involved but no action yet. Don't let this slip through the cracks. Mr. Trout will keep after it. Mr. Gentzler reported that another sinkhole developed in the area where this water pools.

Secretary/Treasurer/Manager's report – Dave Gentzler

Northeastern York County Sewer Authority Minutes – Joel Klinedinst reported that bids are being sought for the construction project. Target completion date is September 2018. At the farm, trees are still being removed as a safety measure. Pine trees will be replaced with oak trees. Mr. Klinedinst noted that there's a six-month reserve in place for operating expenses. Budget is on the table, with no projected rate increase. Only one shut-off, a vacant property. Good job. [at this point, two other audience members arrived, 8:10 p.m.]

Recreation Board Minutes – nothing new.

Public Works Director – no questions. Leaf collection in progress.

Zoning Officer – no questions. Mrs. Masemer reported that in September a Zoning Hearing Board meeting was held on Kling Group's request for expansion. It was discovered, at that meeting, that the company had actually changed its use with the Township's permission, so the decision on the expansion was tabled. The ZHB told the applicant to reapply and reappear, and the applicant has taken no action yet. Does the Board wish to authorize the Zoning Officer to issue a letter of "cease and desist" in the unauthorized manufacturing business? Do a "friendly letter" first, giving a time frame of the usual submittal date, then if no action is taken, proceed with a stronger stance. Will do. FYI, both the ZHB and PC will meet in November.

SPCA Agreement – no action taken tonight.

Sidewalks – A letter was received indicating that McDonald's will install the sidewalks. How about a copy of the signed contract indicating the work to be done? Discussion was held on the progress that is being made and the people involved; what's the next step? How about the beer distributor? Wait until there's a tenant in the other part of the property. How about Sheetz? Was a letter sent? Uncertain.

Also, Mr. Trout will apply for an extension of time from PennDOT for the permit that expires in January 2018.

Consensus: require the installation of the sidewalks to be completed by May 1, 2018.

Motion by Supervisor Rudisill, second by Chairman Gross, to adopt Resolution 2017-10, establishing the tax rates. All members voted aye; motion carried.

Motion by Chairman Gross, second by Supervisor Rudisill, to disburse the remaining Fire Relief funds (\$4,000) received back from the ambulance club as follows: \$3,000 to Manchester Fire Company and \$1,000 to Mt. Wolf Fire Company. All members voted aye; motion carried.

Land Development/Subdivision –

None at this time.

Supervisor's comments

Vice Chairman David L. Naylor – nothing at this time.

Supervisor Barry E. Rudisill – how is the mowing tractor repair coming along? Still a work in progress. No parts left over, please. Copies of contracts for the sidewalks for Ford dealership and McDonald's? Mr. Trout will try to secure a copy from the contractor.

Chairman Steven H. Gross, Jr. – nothing at this time.

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

Motion by Chairman Gross, second by Vice Chairman Naylor, to *recess* to Executive Session to discuss personnel matters. All members voted aye; motion carried. The meeting *recessed* at 9:14 p.m.

The meeting was called to order at 9:45 pm. There was no further discussion.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:46p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary