

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**February 11, 2014**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Vice Chairman Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Jon Beck, Recording Secretary, and thirteen 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 the majority of the board met on January 31, 2014, with residents of the Township and government representatives to discuss the proposed PPL pipeline. No minutes or action were taken at that meeting.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the meetings of January 6, 2014 (reorganization); January 14, 2014; and January 22, 2014. All members voted aye; motion carried.**

**Public Comments**

Floyd White, Board Road, had a question on the schedule printed in the newspaper, then the correction that was printed. Mr. Gentzler had made an error; it was reprinted at no cost to the Township.

Also were there any violations for snow removal? Mr. Beck has placed door hangers, and he is working with the Rentzel farm property owners to get the snow cleared away.

Chestnut Valley needs some attention, too. Mr. Beck is working on the list.

Meeting House Road, new traffic lights; can't push the button to walk; too much snow in the way.

**Emergency Services Report**

Trevor Rentzel gave the report for Union Fire Company.

**Special Request**

Themis Sacarellos – was present on behalf of Chester Square Management, which is having a problem with a tenant. That tenant wishes to expand its business. Taxes on the center are \$57,000 for 2012; \$95,000 for 2013; state law permits the Township to withhold a building permit when that tenant is in arrears for tax payments. Chester Square Management is requesting a special exception to permit the increase in space, per the gymnastics tenant's request. Chester Square is maintaining the property but it's not making any money. He is willing to enter into a payment plan to pay down those outstanding amounts. Chairman Gross noted that this is a repeat situation, and the majority of the outstanding amount is due the school district. He feels that it's unfair to the residents who must absorb the increase in taxes because of delinquent payments that affect the school district's budget. It was acknowledged that delinquent tax payments are not the only reason that taxes are increased. Is it possible to enter into an agreement to receive some payments from the applicant? In the fall of 2014, Mr. Miller noted that some of the amounts will be paid by one way or another. Mr. Sacarellos' request was

denied.

### **Correspondence**

Who is serving in Mt. Wolf Borough -- information received.

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

- Subdivision and Land Development Ordinance Amendments – no discussion
- 60 Mt. Hebron Road Ag Security Area Request – no discussion
- Head Shop Drug Paraphernalia Ordinance – **Motion by Chairman Gross, second by Supervisor Rudisill, to adopt Ordinance 2014-1, as advertised. All members voted aye; motion carried.**
- Mandatory Connection Ordinance – Mr. Miller is still awaiting a response from the representative of York Water Company; can't move forward until a satisfactory response is received. Is there another person to contact? Perhaps Mr. Gentzler could try.
- 445 Blossom Drive Ag Security Request – nothing discussed
- LERTA – Hillwood project may enter the program; Mr. Gentzler asked Mr. Miller to review the Township's current LERTA program. Mr. Miller provided the board members with a memo summarizing that program. Action required: adopt an official Ordinance, not just a resolution. Make the program consistent with the county's program. Provide for removal of a property if taxes are not timely paid, etc. File the applications with the Township, then the school district, then the tax collector. Update the application and include "check the box" sections. If appeal is filed, the property is out of the program.

**Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize Mr. Miller to prepare the LERTA ordinance, with the following additions – make it consistent with county's program; include removal language; include the proper filing language; and include the proper assessment language.**

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to amend the above motion to include language about renewing the agreement yearly by means of Resolution, and that the renewal will be included at the Board's Reorganization meeting. All members voted aye; amended motion carried.** Mr. Miller will prepare the Ordinance for review at next month's meeting.

Supervisor Rudisill asked Mr. Miller about the lien/appeals for the mowing. No more payments have been forthcoming. Can land use permits be suspended? Discussion was held.

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

Mr. Trout reported on his investigation of a grant for river restoration. Is the Board interested in applying for a grant for the canoe/kayak project? Vice Chairman Naylor feels it would be a good idea, especially since there are people who have approached the Township about improving the Codorus Creek area for canoeing and kayaking, and those individuals are willing to spend some of their own funds and time to get the project started. Is there a problem with the property being in the floodplain? Only a stone parking lot would be in the floodplain and might be affected, no actual structures. Mr. Trout noted that the contributions of funds and time could be figured into the matching funds request. The Township evidently must purchase the property first. Chairman Gross is a bit uneasy with the number of unknowns associated with this project. See what the property price is, and see if this project might qualify for a grant, then decide.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to start the grant procedure for the Codorus Creek property. All members voted aye; motion carried.**

Surety Reduction Requests -

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the surety reductions for Chestnut Valley, Phase III, in the amount of \$1,576.29, leaving a balance of \$1,355.20. Chestnut Valley Phase IIIB -\$4987.84 leaving \$2744.28. Chestnut Valley Phase IV -\$97,507.90, leaving \$73,297.10. All members voted aye; motion carried.**

Plan reviews -- nothing discussed

Correspondence – Laymon Mortorff provided a letter that will go to PennDOT regarding the Orchard Business Park Phase II traffic impact study. The study calls for a signal at Canal Road and Willow Springs. The Township would prefer the installation of a signal at Canal Road and Espresso Lane and would like to add this request to the traffic study information. Also, on Board Road at Church Road, the right turning lane should be extended, but the Township would like to add that those improvements should not be done until a full evaluation is done of both Church Road and I-83 ramps. Further, the proposed development has a building in the very spot where the Township would like to have a ramp onto the interstate, and the Township would like to ask PennDOT to take a look at a possible Canal Road and Route 83 interchange.

WIP and Chesapeake Bay Plans – unfunded mandate to prepare a plan. Each municipality may have four alternatives: flat fee; fee based on amount of impervious coverage within the Township; weighted cost based on streams, etc.; base fee based on MS-4 classification. Mr. Trout’s estimate of East Manchester’s share would be \$25,450.70 over five years; Mr. Trout feels that this cost is much lower than if the Township did its own plan, which the Township can still opt to do. The funds from each municipality will be placed together in a fund and used to accomplish projects within each municipality. Mr. Gentzler noted that it is possible that the Township could pay the money and not get any projects awarded, but it would be proof that the Township is complying with the mandate. Mr. Trout made it clear that the fee schedule has not been firmly established yet, so the number given above should not be used as a final cost. Grants may be an avenue to explore.

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

Sewer Authority – minutes available for review

Recreation Board – minutes available for review

Zoning Officer – application to the ZHB for Thornton Chevrolet – should be on the February agenda, but might be continued until March.

Public Works Director – no questions. Mr. Gentzler added to his report – Sewer Authority has its meeting scheduled for February 24, 1 p.m., for its member municipalities.

Discussion was held on the application of TruGreen chemicals to the PPL Park fields. Supervisor Rudisill feels they’re not seeing good enough results. Yes, there’s an agreement that the Township will maintain turf management. Does it need to cost that much? Mr. Gentzler feels that the years the Township did less, the fields looked worse. He has been monitoring the situation with follow-up and soil testing. Mr. Gentzler noted that last year the crew used some better grass seed, which will hopefully look better this spring. **Motion by Rudisill, second by Chairman Gross, to continue with TruGreen for turf management at PPL Park, cost of \$9,885. All members voted aye; motion carried.**

Mr. Gentzler mentioned that, at the March meeting, he will be requesting approval of the

purchase of a new truck with a utility box to replace a piece of very old equipment. The Board members will look over the quotes to be prepared for next month.

**Land Development/Subdivision** – nothing at this time.

**Supervisor's comments**

Vice Chairman David L. Naylor – none

Supervisor Barry E. Rudisill – did the Planning Commission members resolve the possibility of permitting the Planning Commission to table a plan? No; the Ordinance doesn't allow for it, so the ordinance would need to be changed. It would be a good idea to provide the Planning Commission with that option. Of course, the applicant would need to grant the Township the extension of time required to do so. The Ordinance should indeed be changed; add it to the list of items to be changed with this latest batch of changes to the Zoning Ordinance and the SALDO. Mr. Beck should look at the 60-day time frame waiver as well, to make sure everyone is served properly.

Chairman Steven H. Gross, Jr. – **Motion by Chairman Gross, second by Supervisor Rudisill, to appoint Tupper Sverduk to the Ag Security Committee. All members voted aye; motion carried.**

The Board will delay appointing an alternate for the ZHB, pending some checking.

The Board will recess to an Executive Session to discuss a personnel issue.

**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 Supervisor Rudisill, to recess. All members voted aye; motion carried.** The meeting recessed at 8:45 p.m.

The meeting adjourned at ?p.m.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary