

EAST MANCHESTER TOWNSHIP
Board of Supervisors
June 10, 2014

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Vice Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Taylor, Recording Secretary, and twelve 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 May 13, the majority of the Board met on May 22 and again on June 5, and as a result of the May 22 meeting, an offer of employment was extended to Kristie Taylor to fill the position of Zoning Officer. **Motion by Chairman Gross, second by Supervisor Rudisill to appoint Kristie Taylor as the new Township Zoning Officer. All members voted aye; motion carried.**

Motion by Chairman Gross, second by Supervisor Rudisill, to re-appoint Commonwealth Code Agency as Building Code Officials on a temporary basis. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the meeting of May 13, 2014. All members voted aye; motion carried.

Public Comments

Bob Kitchen, 340 Pebble Beach Drive, voiced a concern about a neighboring property which has high weeds and a pool with standing water. Today, the weeds were cut, which is good, but how about the pool/standing water? He spoke with Ms. Taylor, who related that she sent a letter to the Solicitor to try to get a sanitation code in place, particularly with reference to standing water and animal feces. This property has been in an unsatisfactory state for quite a long time. Someone was to visit the property regarding the possibility of the spread of West Nile virus. Chairman Gross noted that the Township will recoup the costs of mowing after the property is sold. Mr. Gentzler informed Mr. Kitchen of the procedures that must be followed before a Township official or staff member can enter that property and take action. Any anticipated action date? Mr. Miller reported that there is nothing in the ordinance that covers enforcement of swimming pool standing water situations. One option is to adopt a sanitation code or property maintenance code as Ms. Taylor mentioned; another option is an actual swimming pool ordinance. Mr. Gentzler will contact the bank which owns the property to see if any action can be taken on the pool issue.

Emergency Services Report

Reports were submitted for review. Vice Chairman Naylor asked about April's report from Eagle Fire Company, in which he noticed an increase in medical assist calls. It was noted that most of those calls are for the same location and patient.

Supervisor Rudisill asked for the address of the Conewago Ambulance Club -- 4665 Susquehanna Trail North.

Chairman Gross noted that the fire departments' Worker's Compensation insurance has increased significantly, for which the Township tried to budget. Unfortunately, the actual amount \$22,750 for the first six months of 2014 is already \$2,700 more than the budgeted amount for the entire year. What about the next six months?

Josh Parrish, Vice President of Eagle Company, asked for the breakdown on the Worker's Compensation bill. Chairman Gross gave the figures. Mr. Parrish noted that the fire company had no real choice in the worker's compensation and the increase is related to health care (cancer presumption act) and the decision by insurers to decline to cover volunteer fire companies. Chairman Gross wants to work with the fire companies to figure out what to do with this situation. Joe Stevens noted that it is hoped that the situation will resolve itself after a few years, but for now it's a wait and see deal.

Special Request

Nothing at this time.

Correspondence

EPA Clean Water Act – FYI only for now. Chairman Gross feels that the Township should back up PSATS' position on this issue. PSATS is urging the Townships to oppose the Act. Should someone contact Scott Perry's office? Do the Board members agree to send a letter to Mr. Perry voicing the Township's opposition, and to authorize Mr. Gentzler to act as the Township's agent opposing this Act? The EPA must respond to any questions and /or comments addressed to it by concerned persons. Mr. Gentzler and Mr. Trout can work together.

Motion by Chairman Gross, second by Supervisor Rudisill, to authorize Mr. Gentzler and Mr. Trout to oppose the Clean Water Act via letter and e-mail to the EPA and Scott Perry, with a copy to local PA representative, and to include an article on the Township's website. All members voted aye; motion carried.

PPL Gas pipeline applied for stream crossings. Also PPL and Riverstone will merge to create the largest power supplier.

Solicitor's report – Attorney Andrew Miller

- Subdivision and Land Development Ordinance Amendments – YCPC comments not received yet. Mr. Miller requested that the changes be added to the Planning Commission's agenda for June to document that the Planning Commission reviewed the document.
- Ag Security Resolution – Brady Barnes; no action can be taken tonight. Mr. Barnes is no longer the owner of the properties; Mr. Miller is awaiting confirmation from the new landowner(s) that the land should be included in the Ag Security area. Perhaps action can be taken next month.
- Code updates – quotes distributed – discussion held – **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to award the code update project to Keystate, including the 3-year agreement for the updates. All members voted aye; motion carried.**
- Mr. Miller requested a brief Executive Session following this meeting to discuss personnel issues.

Engineer's report – Byron Trout

Inspections – Surety reduction request (none this month)

Plan reviews

Correspondence

MS-4 and Chesapeake Bay Plans – hopefully the MS-4 report will be filed by the end of this week.

CDBG paperwork has been filed.

Is the Township a member of COG? Yes. Mr. Trout noted that the MS-4 agency will be advertising and wants the Township to join. On the PPL project – Mr. Trout verified that the agency is required to obtain permits to do work under Township roads.

Mr. Trout received an unhappy phone call relative to the developer's contractors' being required

to remove and reinstall some curbs that were damaged during some new home construction. This is standard procedure that has been in place for ages.

Vice Chairman Naylor asked about 78 Burberry – how's the construction plan coming along? Progress is being made, Mr. Gentzler relayed.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – Mr. Klinedinst noted that settlement was held. A leak was found (Park Street) via the televising procedure. Vice Chairman Naylor asked about the bonding. Mr. Klinedinst explained that it's not actually bonding but insurance against employee theft/dishonesty.

Recreation Board – Vice Chairman Naylor asked about a budget for the summer program – does the Board ever see a budget for this program? Perhaps in the fall? Yes. Is there an actual breakdown of those costs for purposes of review and checks and balances?

Zoning Officer – no questions or comments either for Mr. Beck's final report or Ms. Taylor's first one. They'll go easy on Ms. Taylor since she's only been here for a week!

Public Works Director – no questions or comments

Land Development/Subdivision –

East Manchester Village Center Subdivision Plan

Mike White, First Capital Engineering, was present on behalf of the Dreher Group. This property is at the corner of North George Extended and Beshore School Road. This is plan number 6461A, dated 3/28/014. This is a two-lot subdivision; the Township Planning Commission conditionally approved subject to satisfactory resolution of some outstanding items. Waivers requested: preliminary plan; show final graphic plans; location/size of utility structures; show contours, 2'; provide monuments. A letter dated June 4, 2014, from First Capital Engineering, addresses the outstanding items.

Mr. Trout reviewed two outstanding items: signature of Sewer Authority; and add references to storm water agreement amendments and declaration.

Also, there was a question on the actual owner of Lot 5. Mr. White explained.

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

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the final plan of East Manchester Village Center, contingent upon the satisfactory resolution of the outstanding items (Sewer Authority signatures and expansion of Notes 10 and 29, revised stormwater agreement and declaration, adding the reference). All members voted aye; motion carried.

Supervisor's comments

Vice Chairman David L. Naylor – Emergency Services – discussion was held on the release of funding for fire protection with the caveat that there be no other line item to spend Township money without scrutiny. For 2015, he'd like to require both departments to submit a budget to the Township so that the Board is more aware of their needs and plans. Submit before October to add to Board members' budget discussion. Mr. Stevens requested that the Township staff forward the desired format to him so that his department can comply.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to release from the fire protection fund \$35,000 to Mt. Wolf, and \$35,000 to Union/Manchester; and from the fire equipment fund, \$13,000 to each company. All members voted aye; motion carried.

Josh Parrish noted that Eagle did indeed submit a budget to the Township for 2014. He asked that the reduction in cost be offset by the amount of the increase in the workers' compensation insurance. Vice Chairman Naylor noted that if that's the measure to be used, then the Township's contribution to each department may not be equal. Mr. Chairman Gross cautioned against treating the departments differently, which is in opposition to the merger project of the last few years. Vice Chairman Naylor

noted that the two companies serve two totally different areas – one more agricultural and one more industrial. The Township wants to serve each company the way each needs to be served. Should donations be based on need? For this year, though, what do the departments want? How should the Township handle the increase in the workers' compensation and offset of the allotments?

Chairman Gross noted that the fire chief position is still open. Joe Stevens has been filling the duties for the last six months. Mr. Parrish spoke in support of Mr. Stevens' being named the chief. How about a Duty Officer 10, though?

Motion by Chairman Gross, second by Vice Chairman Naylor, to appoint Joe Stevens as the Union Fire Chief, for the remainder of the 2014 year, with reevaluation at the beginning of the year. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Chairman Gross, to donate \$2,500 to the Mt. Wolf Senior Center. All members voted aye; motion carried.

Supervisor Barry E. Rudisill – addressing Mr. Parrish's comment on Duty Officer 10 – Mr. Parrish's company's position on Duty Officer 10's title -- no stipulation was ever given that anyone can use that title/position/privilege. That title gives that person the authority higher than the chief of the department. He noted that both departments use a Duty Officer 10 schedule. If the chief shows up at a call, his is the higher authority. A Duty Officer 10 from another company can take the position of higher authority at the scene. Mr. Parrish feels that a Duty Officer 10 is not necessary. He feels that either the chief or another higher authority will be at every incident. This seems to be an issue that would be best resolved between the companies. Mr. Parrish said that there have been conversations within the department but no resolution has been found. He explained that if a Duty Officer 10 is officially appointed, he/she is acting on behalf of the Township and has some authority. Mr. Stevens noted that he was having discussions with John Kain on this very issue. He'll keep the Township posted.

The 391 Park Street storm water violation is still in progress. Mr. Trout will provide information to support the violation documentation. Same with Penn Waste.

Tractor trailer parking has decreased at one intersection but will likely increase at another.

High grass violations on Mr. Gentzler's list will be addressed.

Nothing done with the utilities next door yet. Mr. Gentzler will get on it.

Supervisor Rudisill recommends that Byron Trout, Attorney Miller, and Dave Gentzler send a letter of complaint about the length of time that DEP takes to review storm water plans. Will do.

Chairman Steven H. Gross, Jr. – lot on Riverview Road with frontage on both sides; there's a camper onsite, and the rumor is that someone is using the structure as possible living quarters. Chairman Gross submitted a request for reimbursement for flowers for the Memorial Day Parade.

Mr. Gentzler should add the two additional correspondence pieces recently received to the letter that's going out to the properties affected by the PPL gas line project.

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

Mr. Gentzler reported that all the Township traffic lights have been updated with LED lights and battery back-ups. Another three generators are needed to operate the traffic lights (7), to be used on a rotating basis. They can also be used for other purposes throughout the Township. Mr. Parrish noted that when Eagle Fire Station was designated as an emergency shelter, they had to borrow generators from members of the public. Perhaps these new generators can be used in such a situation.

Motion by Chairman Gross, second by Supervisor Rudisill, to purchase, 3 Yamaha generators, at a cost of \$899 each. Two members voted aye; Vice Chairman Naylor opposed; motion carried. The meeting recessed at 8:58 p.m.

Motion by Chairman Gross, second by Vice Chairman Naylor, to *recess* to Executive Session, including the Zoning Officer, to discuss personnel issues. All members voted aye; motion carried.

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

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary