

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**October 13, 2015**

Present: Chairman Steven H. Gross, Jr. (arrived at 7:38 p.m.), Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Taylor, Recording Secretary, and 14 citizens.

At a regular meeting held at the township building, Acting Chairman David Naylor 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.

**Public Comments**

Joel Klinedinst informed the gathering of a possible assessment for each person in each Township that opts out of regional police protection to go with state police protection. Further information will be forthcoming as developments warrant.

**Emergency Services Report**

Fire Chief's report – Chief Stevens noted that box alarm issue needs attention and that both companies are still without funding. There are also continued issues going on between the departments. Firefighters are responding to calls without being dispatched. He has personally been receiving threatening emails and text messages from the other chief. Chief Stevens was appointed by the Supervisors to do his job, but he needs assistance with managing the disagreements. Chief Stevens feels that the Board should have acted previously on this issue.

Workers' compensation can be adversely affected if a worker is injured without being dispatched. Who would be liable if something happened to a worker not dispatched? Unknown for sure.

When 22 is dispatched for an incident on this side of the Township, is 23 called on the site? Not necessarily. Discussion was held on who is dispatched for which calls.

So what to do with the box issue? Chief Stevens recommends changing the boxes from 89 to another number. That way the county department would not be responding into another box area. At least update the boxes. In order to do that, the Chairman of the Board of Supervisors must sign the request. Chief Stevens will have a proposal to the Supervisors by next month's meeting.

Budd Staub asked if it's possible to get in touch with the other Chief to discuss the situation. Chief Stevens has tried, with no response.

Josh Parrish, Vice President Eagle Fire Company, commented on the allegations of responding when not dispatched. He asserted that the company responds either to a request or a normal dispatch call. Are the Eagle firefighters being called because they're volunteers? Vice Chairman Naylor was concerned that any funding that the Township contributes to the fire company is not being used appropriately. Mr. Parrish also feels that the other chief has tried to maintain communication and contact with Chief Stevens. One person's word against the other's...

Norman Claybaugh, Eagle Mt. Wolf Company, responded to the funding issue brought up by Vice Chairman Naylor.

EMC Budd Staub Advanced Certification – Mr. Staub was present. He has obtained the highest level of education possible to complete the Advanced Certification level of emergency management. And all that as a volunteer – kudos all around to Mr. Staub!!

Nixle quote – annual renewal of the program -- \$1545, split four ways. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to renew the Nixle program at a cost of \$1,545. All members voted aye; motion carried.**

Northeastern Area EMS – Laura Lash was present as a representative of the Northeastern Area EMS and to present the report from the last month. She noted that the current board members are in the process of preparing the 2014 records for an audit. The organization has restructured in many ways since the change in operations. She reported that Joel Klinedinst's situation mentioned last month has been fully rectified.

[At this point, 7:38 p.m., Chairman Gross arrived at the meeting.]

Ms. Lash noted that she has addressed complaints that Chief Stevens mentioned at last month's meeting. Usually the complaints had to do with the billing company, over which the ambulance company had no control. The company is looking into using another company for that purpose. She presented three letters of thanks that the company has received since the changeover.

From the audience, Joel Klinedinst confirmed that he and his wife are quite satisfied with the response from the ambulance company. He commended the company on its efforts to improve the whole condition of the company.

[Chairman Gross took over leading the meeting at this point.]

### **Special Requests**

Beshore School Road Speed Limit Reduction – Mr. Gentzler noted that this agenda item was carried over from September's meeting. He reported that he has received complaints about all of the roads governed by a 40 mile per hour speed limit in the Township. Vice Chairman Naylor would like to see an estimate of the cost for the new signs and traffic studies. The speed trailer will be set up on Beshore School Road this week. Vice Chairman Naylor would like to present the proposal to the police chief for his input before the Board takes any action. Supervisor Rudisill feels that changing the speed limit is not going to have the desired effect. Chairman Gross noted that there's been an increase in pedestrian traffic on the Township's roads. Joel Klinedinst noted that to change the speed limits requires a traffic study, and per Mr. Gentzler, the Township road crew is certified to conduct those traffic studies for this purpose.

Dollar General -- Waiver request – Bob Gage was present to request the waiver to not be required to extend the water main to the site. Chairman Gross asked for an answer to his question from last month – how many York County Dollar General stores do not have public water? Mr. Gage can provide that information.

It was noted that the water company says that the water main is 300+ feet away from the site. The water company might be willing to extend the line a bit closer to the Dollar General site. Chairman Gross noted that he voted in favor of the rezoning request for this property previously in order to try to extend the infrastructure to that area. Now, if the Board permits the applicant to install a well and septic on this property, without extending the water line, that defeats the purpose of the desire to extend the infrastructure to that area. Neither Chairman Gross nor Vice Chairman Naylor is inclined to approve this waiver. Mr. Rudisill didn't give his position on the request.

Mailbox Indemnification Agreement – **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the Mailbox Indemnification Agreement for 60 Alcorn Drive, Mt. Wolf. Two members voted aye; Supervisor Rudisill abstained due to a conflict of interest. Motion carried.**

### **Correspondence**

Nothing to report.

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

- Floodplain Management Ordinance Amendment – PEMA reviewed the Township's Floodplain Management Ordinance amendments and offered comments, which Mr. Miller outlined for the Board. It's probably a good idea for the *Township Engineer to be appointed as the Floodplain Administrator and the Zoning Officer as the alternate* (different from the recommendation). **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to advertise these Ordinance Amendments for adoption at the November Board meeting. All members voted aye; motion carried.**
- Approval of General Terms and Conditions for Township HOP permits – Attorney Miller presented some additional language to the General Terms and Conditions for the HOP permits to address some situations that were not included in the previous version. **Motion by Chairman Gross, second by Supervisor Rudisill, to approve the amended General Terms and Conditions for Township HOP Permits as presented. All members voted aye; motion carried.**
- SALDO Ordinance Amendment – steep slope language – Mr. Miller outlined the proposed change which deals with a waiver of the steep slope requirement if the property owner can provide certification that a person would not be harmed by the granting of this waiver. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to authorize Attorney Miller to draft an amendment to the SALDO for review next month prior to advertising for the public hearing. All members voted aye; motion carried.**
- Brief Executive Session requested following this meeting.
- Mr. Miller reported on a recent Commonwealth of Pennsylvania case concerning stormwater damage to a neighboring property. This should serve as a reminder of liability concerning stormwater maintenance. Mr. Gentzler noted that the townships and county "keep our pipes clean." This case places a greater maintenance burden on Township road crews to monitor where the water goes after it exits the pipe. The case puts a storm sewer system on the same level as a sewer system.

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

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plans

**Motion by Supervisor Rudisill, second by Chairman Gross, to approve the surety reduction for Willow Springs of \$5K, leaving a remainder of \$0. All members voted aye; motion carried.**

**Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the surety reduction for the Hillwood site for the extension of Gia Drive by \$157,533.00, leaving a remainder of \$113,194.18. All members voted aye; motion carried.**

Mr. Trout commented on the case that Mr. Miller presented. As part of the MS4 plan, Mr. Trout and his team have monitored and inspected the outfalls of the stormwater system pipes.

Steep slope discussion – there will be another waiver request from the Chestnut Valley development. Does this waiver apply to an older subdivision? Mr. Trout wants to know for his inspection purposes. Per Attorney Miller, he needs to go by what's on the approved plan.

Mr. Trout noted that there's an industrial park site that is not in compliance with the slope requirements. He will address.

Last month, there were complaints about runoff on Hillwood. The applicant's engineer feels it's not the developer's fault, with which Mr. Trout disagrees. Just an update; Mr. Trout is handling this situation.

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

Sewer Authority – Mr. Klinedinst added that water shutoff proceedings were started for nearly 50 people last month. At the meeting, everyone was given an additional 30 days to permit residents to pay 50% of the bills due. They will address it at the next meeting. Past due: perhaps \$25K total.

Recreation Board – Budget finalized.

Zoning Officer – Mrs. Masemer noted that the junk vehicle ordinance doesn't include certain situations. She presented some changes to the ordinance. **Motion by Supervisor Rudisill, second by Vice Chairman Gross, to authorize Attorney Miller to include the junk vehicle ordinance changes with the floodplain ordinance for one advertisement. All members voted aye; motion carried.**

Public Works Director – Mr. Gentzler noted that leaf collection will begin November 2.

**Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the following disbursements: from the Fire Protection Fund 410.500 -- \$85,000 to Manchester Fire Co; \$55,000 to Mt. Wolf Fire Co; from the Fire Equipment Fund -- \$26,000 to each company; no disbursements from the Retention Fund until each company provides accountability figures.** Discussion: the increase to Manchester is a result of Chief Stevens' extra work throughout the year. Vice Chairman feels that this action should have been done in the beginning of 2015. Next year, a funding formula should be worked out between the Board and each department. Supervisor Rudisill feels that the Board should distribute the funds as per the approved 2015 Budget. From the audience, Robert Nace spoke (as a taxpayer), stating that it might be appropriate to give the companies the budgeted amounts for 2015 and come to a solid agreement for 2016. **Vote on the motion: Two members voted aye; Rudisill opposed. Motion carried.** Chairman Gross refused to permit Josh Parrish to make an additional public comment following the vote.

Chairman Gross noted that the 2016 budget may offer some support to the ambulance club.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to disburse \$5,000 (budgeted amount) to the Senior Center (unless it's discovered that a half payment was already made earlier in the year). All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to disburse Volunteer Fire Relief Act funds received in the amount of \$53,917.95 to the two fire companies as follows: \$31,800 to Manchester and \$22,117.95 to Mt. Wolf. Two members voted aye; Rudisill opposed. Motion carried.**

Building Addition sketch plan – Mr. Gentzler presented the proposal, which involves a room addition to the Township Building. The new room is to be used as a meeting room; the current meeting room will be used as a file room and conference room. Mr. Gentzler is getting proposals for the various components of design. Chairman Gross is not fully on board with this proposal at this time due to other concerns. Mr. Naylor likes the idea but doesn't want to borrow money to see the project through. Mr. Rudisill feels the same way and would like to see some cost estimates up front. Mr. Gentzler noted that there would need to be an actual plan before any costs can be figured, and they were trying to save money on upfront plan preparation if possible. **Motion by Vice Chairman Naylor, second by Rudisill, to authorize Mr. Gentzler to continue the process required to price the design of the addition to the Township Building, gathering costs prior to the budget meeting. All members voted aye; motion carried.**

Budget Transfer Resolution – **Motion by Chairman Gross, second by Vice Chairman Naylor, to October 13, 2015**

**approve Resolution 2015-12, transferring funds as follows:**

(a) \$10,000 from Account #01.439.200 (Highway Construction Supplies) to Account # 01.432.245 (Supplies for Snow and Ice removal)

(b) \$1000.00 from Account # 01.400.740 (General Government Capital Expense) to Account # 01.409.350 (G/G Insurance).

(c) \$1000.00 from Account # 01.400.740 (General Government Capital Expense) to account # 01.409.362 (G/G Gas)

(d) \$4000.00 from Account # 01.400.740 (General Government Capital Expense) to account # 01.413.100 (Sewage Enforcement)

(e) \$700.00 from Account # 01.400.740 (General Government Capital Expense) to account # 01.414.200 (P/Z Supplies)

(f) \$1000.00 from Account # 01.400.740 (General Government Capital Expense) to account # 01.414.341 (P/Z Advertising)

(g) \$1000.00 from Account # 01.400.740 (General Government Capital Expense) to account # 01.427.000

(h) \$3000 from Account # 01.439.200 (Highway Construction Supplies) to account # 01.430.313 (Highway Engineering)

(i) \$10,000 from Account #01.439.200 (Highway Construction Supplies) to account # 01.437.000 (Repairs of Tools and Machinery)

(j) \$10,000 from Account #01.439.200 (Highway Construction Supplies) to account # 01.438.384 (H/W Rental of Machinery)

**All members voted aye; motion carried.**

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**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the tax exonerations as presented; Kinsley Equities, \$15.95 and Jerry Hazelwood, \$30.11. All members voted aye; motion carried.**

Budget meeting was set for Tuesday, November 3, 6 p.m.

#### **Land Development/Subdivision –**

Robert L. Rentzel Subdivision – Patty Fisher of James Holley Associates was present with Troy Rentzel. This plan was presented to the Planning Commission in September, and, at that meeting, there was a discussion of the cul-de-sac. The Planning Commission requested that the applicant present this plan to the Supervisors. This plan involves transferring a parcel of property from Robert Rentzel to his son, Troy. There's a hammerhead turnaround at the end of the cul-de-sac. Troy Rentzel wants to place a garage on his property, after he receives the land from his father. The garage would be too close to the property line. An option to deal with this issue would be to re-shape the cul-de-sac as a "P" shape as opposed to the hammerhead shape. Is the Board amenable to this option? Is it likely that the cul-de-sac will ever actually be built to specs? Would it be possible for the applicant to show the cul-de-sac on the plan as proposed (as a "P" shape)? The applicant wants to be sure that he can place the garage where he wants to before he acquires the land. Lot 4 would require an access easement, Mr. Trout noted. Mr. Gentzler and Mr. Trout both have no problem with the proposal, as long as the hammerhead area is still maintained. From the audience, Robert Nace (Planning Commission member) noted that this plan was originally approved with a cul-de-sac, but uses a hammerhead configuration, which works well. Mr. Nace has no problem with this proposal.

Also on the table is a waiver for street design, to not be required to do ROW dedication for the streets, and leave the ROW at 25'. It's unlikely that there will be further street improvements, so that waiver has a good chance of being granted.

On the issue of monuments at all property corners – one of those would need to be located in the middle of the farm field, which hardly makes sense. The Board agreed.

Ms. Fisher will proceed with the preparation of the plan for review.

(From earlier on the Agenda, not covered in Chairman Gross' absence):

Chairman Gross disclosed that since the meeting on September 8, the Board members neither met nor conducted any business.

**Motion by Supervisor Rudisill, second by Chairman Gross, to approve the minutes of the meeting of September 8, 2015. Two members voted aye; Vice Chairman Naylor abstained. Motion carried.**

#### **Supervisor's comments**

Vice Chairman David L. Naylor – No comments or questions.

Supervisor Barry E. Rudisill – Mr. Gentzler is charged to develop a procedure for block party guidelines.

Chairman Steven H. Gross, Jr. – No comments or questions.

**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 to Executive Session. All members voted aye; motion carried.** The meeting recessed at 9:49 p.m.

The meeting reconvened at 10:20 pm.

**Motion by Supervisor Rudisill, second by Vice-Chairman Naylor to participate with Northeastern**  
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**School District to attend the Chester Square assessment appeal hearing and object to the lower assessment. All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Supervisor Rudisill, to adjourn the meeting. All members voted aye; motion carried.** The meeting adjourned at 10:30p.m.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary