

EAST MANCHESTER TOWNSHIP
Board of Supervisors
November 12, 2013

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 Jon Beck, Recording Secretary, and eight 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 a budget meeting was held on October 21st.

Motion by Supervisor Naylor, second by Supervisor Rudisill, to approve the minutes of the meeting of September 18, 2013, (road inspection). Two members voted aye; Chairman Gross abstained. Motion carried.

Motion by Supervisor Rudisill, second by Supervisor Naylor, to approve minutes of the meeting of October 8, 2013. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Supervisor Naylor, to approve the minutes of the October 21, 2013, budget workshop as submitted. All members voted aye; motion carried.

Public Comments

Kirk Alwine reported that his neighbor's pole building drainage is incomplete and is affecting Mr. Alwine's property. Mr. Trout added that the 30-day time limit has expired for the resident to take action to correct this problem by connecting the downspouting. Mr. Miller advised issuing a Notice of Violation under the stormwater ordinance. If no results are evident, go forward to the magistrate's office or have the Township connect the spouting and put a lien on the property for the cost. **Motion by Supervisor Naylor, second by Supervisor Rudisill, to have the Zoning Officer issue the Notice of Violation (with Mr. Miller's input) in this case. All members voted aye; motion carried.**

Emergency Services Report

Eagle Fire Company Audit was filed. No questions.

Special Request

Nothing at this time.

Correspondence

York County Watershed Implementation Plan is available for review.

Solicitor's report – Attorney Andrew Miller

- Subdivision and Land Development Ordinance Amendments – ongoing process. Another workshop meeting at the end of this month.
- 60 Mt. Hebron Road Ag Security Area Request – no response from Dominick Moro; six months runs out the day after the December Board meeting; resolution will need to be addressed at the Reorganization meeting in January of 2014. This will be put on the

agenda.

- 2014 Tax Rate Resolution #2013-9 – **Motion by Supervisor Rudisill, second by Supervisor Naylor, to adopt Resolution 2013-9 as proposed. All members voted aye; motion carried.**
- Head Shop Drug Paraphernalia Ordinance – Mr. Miller previously presented a draft ordinance for the Board's review. The Board members must decide if they want to regulate the actual sale of drug paraphernalia OR if they want to regulate head shops as a use in the Township and restrict the locations where they are permitted, OR do both. Regulating the use – add to zoning ordinance amendments in process; restrict it to certain districts (pretty obviously, not permitted in residential districts). Discussion was held on the difficulty in proving that there are drugs involved. Chairman Gross noted that Township residents have voiced their concerns about this problem. He has spoken to the police about this issue. Perhaps the Police Board will need to address this at its next meeting. Good suggestion. Any attempt to entirely ban this use opens the Township up to challenges to "fair share practices." Something to consider. Mr. Miller provided copies of both ways to regulate and will do the same for the police chief to aid in the discussion.
- Executive Session requested to discuss the Riverview Road property.

Engineer's report – Byron Trout

Inspections – stormwater basins following the last heavy storm. Most functioned very well; three issues, all either minor or already corrected. Traffic study information completed and returned to Mr. Miller. Traffic study underway for Board Road; report likely for next meeting.

Plan reviews – no references at this time.

Correspondence – information in the "Township News" regarding the Chesapeake Bay regulations/stormwater ordinances. Mr. Trout urged the Board members to have a look.

Greenridge – any progress? Mr. Trout reported that there's been no further information as yet, nor the receipt of the original bond documents. How about the proposal for the developer to make a contribution to cover the loss of liquid fuels funds? Mr. Trout will follow up. Mr. Gentzler asked if the highway crew should go ahead and salt the streets in question and even remove snow, just to take care of the residents. Does this open the Township up to trouble, since the streets have not yet been adopted? Mr. Miller feels that there's no danger.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – no questions on the report/minutes.

Recreation Board – no questions on the report/minutes.

Zoning Officer – no questions or comments.

Public Works Director – no questions or comments.

SPCA Contract – *tabled* until December's meeting.

Manchester Park Joint Operating Budget – **Motion by Chairman Gross, second by Supervisor Naylor, to approve the Manchester Park Joint Operating Budget. All members voted aye; motion carried.**

Fire Hydrant Tax – addressed with the adoption of Resolution 2013-9 above

Generator Hookup Quotes – all traffic signals have battery backups but not all have generator hookups. Generator hookups are recommended, since it's unknown how long the batteries will last if needed. **Motion by Supervisor Naylor, second by Supervisor Rudisill, to award the contract to Milts Repair Service not to exceed \$4,750.00 for manual transfer switches on 5 traffic signals. All members voted aye; motion carried.** It was noted that generators will be on next year's list to acquire.

Mr. Gentzler noted that he has received an application for HOP for Hillwood to cross

Zion's View Road, and he is a bit confused. Is this PennDOT's responsibility, not the Township's? The developer indicates that PennDOT says that the application must be in the Township's name. Mr. Trout was confused as well. Mr. Gentzler will research this and get back to the Board. Mr. Trout will make some calls, too.

The high bid for the 1984 Louisville truck for \$6,550.

5100 Sherman Street – discussion was held on the bid received for the property next to the Township office. Can the Board reject all bids, then re-bid the project? Can try again. Chairman Gross feels they should just “sit” on the property for now. Supervisor Rudisill suggested having Mr. Gentzler discuss this bid with the bidder (which he did today). **Motion by Supervisor Naylor, second by Chairman Gross, to reject all bids. All members voted aye; motion carried.**

How about renting the house? Likely not, as it would lose its tax exempt status.

Motion by Supervisor Naylor, second by Supervisor Rudisill, to approve the purchase of a set of used loader forks for \$4,800.00. This is a budgeted expense. All members voted aye; motion carried.

Land Development/Subdivision –

Brady Barnes Subdivision Plan – Patty Fisher was present on behalf of the applicant. Property is at 445 Blossom Drive; refer to Revision 3, dated 10/29/13; 3-lot subdivision proposal. Lot 1 keeps all buildings, septic, well, driveway; lots 2 and 3 Agricultural uses. Four waivers requested. All conditions have been met.

Waivers requested: **preliminary plan, Section 208.21; curbs, Section 208.47.a; sidewalks, Section 208.47b; street design, Section 208.46.b.**

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

Motion by Supervisor Rudisill, second by Supervisor Naylor, to approve the Brady Barnes Subdivision Plan as presented. All members voted aye; motion carried.

Supervisor's comments

Vice Chairman David L. Naylor – convention is Thursday; registration begins at 4 p.m.; dinner's at 5:45.

Supervisor Barry E. Rudisill – how about the mosquito spraying question from last month? Mr. Gentzler will check.

Chairman Steven H. Gross, Jr. – letter from health insurance company that the policy is being re-written; no new information. House on Codorus Furnace Road – no building permit application submitted yet. Several options presented. Mr. Beck is having conversations with the appropriate persons involved.

Mr. Beck presented information about the York Water Company; Asbury Pines sewer system; Township's ordinance needs to be changed to require hookup to a public system that is privately owned. **Motion by Supervisor Rudisill, second by Supervisor Naylor, to authorize Mr. Miller to investigate and, if necessary, draft an updated ordinance to deal with this issue. All members voted aye; motion carried.**

Motion by Supervisor Rudisill, second by Chairman Gross, 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 to discuss possible litigation. All members voted aye; motion carried. The meeting recessed at 8:15 p.m.

Chairman Gross called order at 9:14 pm. No further business was discussed.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:15p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary