

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
JULY 12, 2011**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Engineer Byron Trout, Secretary/Treasurer/Public Works Director Dave Gentzler, and Zoning & Codes Enforcement Officer, Katrina Rife.

At a regular meeting held at the township building, Steven H. Gross, Jr. called the meeting to order at 7:00pm.

The Pledge of Allegiance was given to the Flag of the United States of America.

The minutes of June 14, 2011 were accepted per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously.

Public Comment

Jane Conover of York Counts, not present.

Jane Deamer, representing Northeastern Senior Center gave a brief update on the services. Of the 13,823 visits to the center, 3,296 were East Manchester Township = 24% There were 9,521 meals delivered of which 350 were in East Manchester Township. The current location is being used to its fullest and a relocate is desired.

Buford Chidester of 785 Locust Street is requesting a revision to Chapter 137 – the Noise Ordinance

The reason is that the chapter does not address various problems from noise disturbances in residential neighborhoods.

Dirt bikes, four-wheelers (quads) are posing a problem in Saginaw and the current ordinance does not clearly address.

He provided a letter with a few suggestions for review.

Steven H. Gross, Jr. asked Attorney Andrew Miller for input.

Attorney Andrew Miller explained that ordinance specifically for this noise has been tried elsewhere, but problems have resulted with all the regulations and decisions that must be made to avoid unintended consequences and needed experts to testify. If the Board is willing, he can try to regulate under use of property, which may be more practical and enforceable with zoning. He can search for other municipal ordinances on this.

Joel Klinedinst also hears the noise from other side of town – it is a problem.

Ryan Brenneman of Eagle Fire Company noted the Chicken Bar-B-Que they held was in competition the Boy Scouts on same day at Sovereign Bank. Permits are needed for sales in the Township and there was none issued; therefore, Eagle was unaware of another sale.

Tim Stevens of Union Fire Co. reported \$55,000.00 has been expended on training efforts, which are going well.

Joel commented on vehicle vandalism in outfield at Saginaw Park. Byron Trout added that grants are due in August for guide rails.

Special Request

Bill Bashore has two items.

1. Board Road is scheduled to be paved September/October. Do you really want now due to 7 lots getting cut for gas service when building permits are planned before year end?

Both Barry E. Rudisill and David L. Naylor say pave.

Steven H. Gross, Jr. commented that the rest of road is deteriorating – pave.

Bill will pave.

2. Chestnut Valley lot 71 has a potential purchaser. Per section 208.58 of the SALDO ordinance, connection to public utilities is required as well as it is shown on plan creating this lot. An HOP for a Wago Road driveway has been secured.

Due to location of house and terrain of property to the location, a well and septic is preferred. Waivers of the public sewer and water connection are requested.

Barry E. Rudisill would like this to stay as designed and believed this may be an environmental issue. Bill answered that NEYCSA did ok not using sewer connection.

The lot is 13.33 acres and an estimate of 80% will be untouched.

David L. Naylor commented this does not seem right way to go

Attorney Andrew Miller suggested a plan be presented to get any action, tonight can get opinions

Bill will be back next month and will bring plan.

Tax exonerations – A motion to exonerate by Steven H. Gross, Jr. for Slaughter property in the amount of \$89.04 and Smalley property in the amount of \$140.84 was seconded by Barry E. Rudisill and carried unanimously.

Kinsley paving of Orchard Business Park for Gea Drive and Espresso Way. These streets are not for adoption at this time. Barry E. Rudisill motioned to allow paving. Motion seconded by David L. Naylor and carried unanimously.

Subdivision / Land Development – Manor Village preliminary phase 1

Steven H. Gross, Jr. turned meeting over to Vice-chair David L. Naylor.

Joel Snyder of RGS, Hugh Simpson, representative and Robert Field, owner were present to request approval for 79 lots of which 75 are for dwellings. Plan 2005.657009 dated 7/12/06 revision 13 dated 6/13/11.

The following waivers were granted by a motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously after discussion. Barry E. Rudisill is against crosswalks and no sidewalks. He feels this is a proven bad situation and is not in favor of seeing this.

- Waiver of SALDO 8.7.2.A sidewalk along E side of Park Street

- Waiver of SALDO 8.6.2.A street widening, 8.7.1.A curb, and 8.7.2.A sidewalk along S side of Manchester Street

- Waiver of SALDO 8.6.5.D street cuts and fills and 8.7.2.A sidewalk along E side of Manor Village Street from lot 1 to Manchester Street

- Waiver of SALDO 8.7.2.A sidewalk along S side of Canal Road at Terry Lane intersection

- Waiver of SALDO 8.6.2.A street widening, 8.7.1.A curb, and 8.7.2.A sidewalk along S side of Canal at Shriner Street intersection

- Waiver of SWMO 403Q a 6' depth of detention basin to allow a depth of 6.75' maximum.

After discussion and deliberation with consideration of prior comments and recommendations from township staff, Planning Commission, Township Engineer, York County Planning Commission, Sewer Authority, and public as well as applicant and/or applicant's representatives, a motion by Barry E. Rudisill to approve conditioned upon OPEN items from Gordon L. Brown & Associates letter of 2/14/11:

The following comments relate to the Township Subdivision and Land Development Ordinance:

1. The following information should be included on or with the plan:

- A. Signatures (s.5.1.1.B(1)b&c)
- B. Sewer Authority signature (s.5.1.1.C(1)k)
- C. Home Association documents (s.1.14) – to be noted on plan and submitted with final
- G. Planning module for land development approval (s.5.1.1.B(1)f) – to be noted on plan and submitted with final

- Review of the agreement for the maintenance of the 60' wide access provided for the use as a driveway for the Doll property and the Hoke property and timing of work to allow continued mud-free access
- Developer's agreement and schedule to be submitted with final plan

Motion seconded by David L. Naylor and carried unanimously.

Bob Nace reiterated the difficulty Planning Commission has in blending the new requirements with the old existing and the effect on public improvements.

Byron Trout added that future streets are to be graded at time of initial construction to prevent some of this in the future.

David L. Naylor returned chair to Steven H. Gross, Jr.

Solicitor's Report – Attorney Andrew Miller

- Lien from 220 Olde Hickory Road was not paid at settlement. Need authorization to proceed with collection. Motion to authorize by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.
- private street signs – there is no ordinance requiring, will check other municipalities
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Engineer's Report - Byron Trout

- Have been monitoring progress for CVS and Wellspan
- Temporary poles set at Beshore School Road is fine for conditional occupancy. Motion to accept by David L. Naylor with the additional comments that conditional include the install of new and removal of those temporary poles offsite, and all other public improvements complete. Will be put into the agreement. Steven H. Gross, Jr. seconded motion, which carried unanimously.
- Northern Heights surety reductions:
 - phase 1 - \$20,389.05 approved per motion by Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.
 - phase 2 & 3 - \$14,231.63 approved per motion by David L. Naylor, seconded by Barry E. Rudisill and carried unanimously

Correspondence

Apology letter received from one of the vandals at Dauberton Park.

Secretary/Treasurer's Report

- mailbox structures in right-of-way – A 2006 memo was referenced in which an indemnity agreement was suggested to be signed, will provide SA
- Northeastern Sewer Authority – new bldg by end of year per Jim Coble
- Zoning Officer – June report, no questions
- Planning Commission – no June meeting
- Public Works Director – no questions
- Recreation Board – no report
- Meeting House Road curb and sidewalk work bid – There were 3 bidders. A motion by Steven H. Gross, Jr. to award to lowest bidder, Carbaugh Concrete of Glen Rock for \$39,750.00 with provision that second lowest bidder be used if first can't meet requirements. Second lowest is Pantano Concrete at \$39,830.00. Motion seconded by Barry E. Rudisill and carried unanimously.

Supervisor's Comment

David L. Naylor – can relate to the noise from mini bikes. The noise ordinance lacks and should be revisited.

Barry E. Rudisill – no additional comments

Steven H. Gross, Jr. – no additional comments

A motion to pay bills was made by Steven H. Gross, Jr., seconded by David L. Naylor and carried unanimously.

Public Comment

Dave Bloss noted a construction sign on Willow Springs Lane is down and has been for a while.

He also questioned the progress on getting new Penn Waste recycle bins. DEP required a flyer to be sent to residents; this is complete. The Township had to reapply.

Joel commented on the cost utilities on lot 71, probably less costly for public.
Right turn on red at Beshore School Road was mentioned. Will most likely remain.

At 9:36pm, Steven H. Gross, Jr. motioned to recess to Executive session for personnel matters.

At 10:29 pm, the meeting reconvened. No action was taken. The meeting was adjourned per motion by David L. Naylor, seconded by Barry E. Rudisill at 10:30pm.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer