

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 9, 2008**

Present: Vice-Chair David L. Naylor, Supervisor Barry E. Rudisill, Township Secretary/Treasurer/Manager Terry R. Gingerich, Engineer Byron Trout, Attorney Andrew Miller, and Zoning & Codes Enforcement Officer Katrina Rife

At a regular meeting held at the township building, David L. Naylor called the meeting to order at 7:04pm.

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

David L. Naylor announced that the Board met on the scheduled dates of 8/12/08 and 8/27/08.

Minutes of 8/12/08 were TABLED due to Barry E. Rudisill's absence from that meeting and Steven H. Gross, Jr.'s absence from this meeting to approve.

Minutes of 8/27/08 were approved as presented per motion from Barry E. Rudisill seconded by David L. Naylor and carried unanimously.

Public Comment

- Chuck Kraft of Jerusalem School Road commented on this project, how he believes it was completed really nice and how well Terry R. Gingerich and Dave Gentzler worked to fix the issues with his driveway.

- Jim Spangler 41 Acorn Drive mentioned the runoff he has been experiencing since street was blacktopped. He called Terry R. Gingerich and Dave Gentzler got back to him saying that the Northeastern York County Sewer Authority will take care of concern and fill in sinkholes. He is concerned about where it is coming from and looking further for source. He wants the problem over sewer pipe taken care of correctly.
Terry R. Gingerich mentioned same situation further back was improper compaction over sewer line, voids in stones, dirt dissipates through stone, sure Northeastern York County Sewer Authority will fix.

- Blaine Rentzel asked about the Susquehanna Lions Club annual pork dinner and the signs for it. He also asked if anyone knew what happened to the Lions Club sign welcoming people to the township that was in his yard before the property was graded. They would like to replace it.

Terry R. Gingerich suggested checking with PennDOT on Lions Club sign.

The Supervisors stated that if the signs for the dinner fall within bounds of zoning ordinance they are ok with. Katrina Rife to meet with Blaine to review.

Katrina Rife suggested Blaine contact the NERPD regarding the possible use of their new portable sign since this is a public event by an established, organized association.

- Keith Brim 80 Brendan News requesting a block party for Northern Heights HOA on 10/11/08 from 12noon to 8:00pm and permission to block cul-de-sac. After discussion, Barry E. Rudisill motioned to allow providing they comply with signature requirement and will allow use of township barricades. David L. Naylor seconded motion, which carried unanimously.

- Amanda Bell 110 Brendan Mews presented pictures of the problems with a water issue at end of new pavement. It is ponding on both sides of street and the water has to evaporate, it cannot get to drain.

Risers for driveway had to be removed due to snow plowing. Dave Gentzler told her risers could be worked around if put back.

Terry R. Gingerich mentioned that risers move water out onto street.

Dave Gentzler also told her he could drill holes down to drainpipe but that would only solve problem on one side.

Barry E. Rudisill asked how would this be resolved short of putting wearing course on.

Byron Trout explained that it is not going to, basically it was paved to end of turn, the street slopes from N. Sherman to cul-de-sac and if paving is extended to next inlet that would be paved into middle of intersection. The contractor paved where the township asked to pave to. A concern is that the developer was told that when they get to 70% build out of homes, then the wearing course would be put on the rest of Brendan Mews to N. Sherman St. and up Bryn Way. Is about 62-63% range now.

Around the return where the wearing course is a little higher, cannot get back to any inlets at any ideal point. Question is to reconsider and pave out to N. Sherman Street.

Barry E. Rudisill - at this point if ask developer to pave, may not get to this year.

Byron Trout explained that township can ask but developers are not under same deadline of regulations from PennDOT as township.

Barry E. Rudisill prefers not to have multiple seams.

David L. Naylor concerned about heavy equipment tear up wearing course – township would have to pay for repair.

Keith mentioned that the equipment is same as allowed on any other road? He has not seen any bulldozers or such, just trucks and trailers.

Byron Trout is aware of problem and has looked at this.

Barry E. Rudisill - as much as I hate to finish that street knowing that we are going to have construction traffic on it, I think we should approach the developer and see if it is possible to finish the wearing course to N. Sherman Street and hopefully that will resolve water issue at that location.

Byron Trout - he was willing to do it this summer

Barry E. Rudisill – that seems to be resolution to their problem, and he has to do it sooner or later and that seems it would solve the problem. He has 18 months that we can hold maintenance bond.

Byron Trout – also holding surety bond on it.

Barry E. Rudisill motioned to request the developer to complete the paving to N. Sherman Street. Motion seconded by David L. Naylor and carried unanimously.

Subdivision/land development – MarBen (Wheatlyn Manor) correction to property lines

Mike Bentzel of Mar Ben explained the plan to redraw 5 lines on the Wheatlyn Manor plan to make properties work with building. When building was set, it was pushed back which created need for property lines to be straightened out. Each unit's property line coincides with the corner of the unit. There is no encroachment, just pushing 5 lines back.

Dave Naylor asked Byron Trout if he had seen this plan.

Byron Trout - The lots close and meet lot areas. The only issue is the way the plan is prepared for re-recording. Signatures from the 2006 plan were used and it is suggested to have owner initial or resign to show awareness of changes and have on plans. Not sure if this is an issue with the Recorder of Deeds office.

Mike – either way can be solved. No problem with signing, ok with what works at Recorder's office

Barry E. Rudisill - if what presenting complies with our Subdivision ordinance and is not encroaching on the property and is not creating any additional problems if it is more like a signature situation, I don't have a problem with that.

Barry E. Rudisill moved to allow them to due proper initialing or what is required and acceptable for recording the correction, seconded by David L. Naylor and carried unanimously.

David L. Naylor questioned if this was the property where the construction workers were burning on site.

Mike answered it is and that will not happen again.

Special Request

- Steve of Skelley and Loy Engineers regarding the Phoenix Links Golf Course and the sewage issues. He showed a drawing of course indicating an existing manhole at NERPD building

Cart paths shown in lime green. Most play holes located on N side of Board Road. Maintenance facility and clubhouse with restaurant proposed to connect to sewer. Also proposing 3 composting toilets around the golf course, which need to have component 2 filed to DEP. The reason here tonight to tell of the preparation of sewage planning modules and submission of component 3 to Northeastern York County Sewer Authority which they have conditionally approved, but will need to finalize the number of EDU's.

PPL has most of course completed

Planning modules need township approval and submission to DEP. Asking for conditional approval while waiting for DEP approval. SEO may have to review and sign for the composting facilities. Composting facilities are T1-11 sided structures with foundation and composting equipment with sides for men's and women's. David L. Naylor asked if road would be disturbed and added that the NERPD building sewer connection would be nice to get done with this project. There would be no road cut, installing in grass area. Discussion on making that connection was held.

Byron Trout mentioned that the land development plan for the clubhouse is still under review. It has outstanding stormwater issues, anything proposed here should be on land development plan.

David L. Naylor motioned to conditionally approve sewage planning modules for this plan contingent on Authority's approval. Barry E. Rudisill seconded and noted the hook-up of police building to sewer be pursued. Steve will make PPL aware that is a request. Motion carried unanimously.

Jim Coble clarified to tap into gravity line, not into pressurized line along Board Road.

- Kinsley Construction Orchard Business Park -Tim Kinsley and Mike Jeffers
David L. Naylor commented that they will not make any opinion or recommendations to this plan because it has to go through proper procedures and is reluctant to give any nod of approval or anything like that.

Attorney Andrew Miller added that they are probably well aware of having to submit an application for an zoning map amendment that would have to go through Planning Commission and York County Planning Commission review and public hearing before this Board, so the Board really can't give any kind of or any significant direction. They can listen to presentation and what you plan to do.

Tim stated that they intended to come as informational and understands any information or any comment is not official.

They have purchased Weire property adjacent to Fink property. The cul-de-sac of Espresso Way was pointed out. Currently, a plan is submitted to extend Espresso Way to Canal Road, which has Planning Commission recommended approval. This purchase adds about a 65-acre addition to Orchard Business Park. Had hoped to get this approved prior to a user for the land, but now have a manufacturing user interested in the site that has an 18-month timeframe to get occupancy. PennDOT approvals are taking about 1 year, so they are trying to accommodate user with alternate plan for a cul-de-sac for Espresso Way to the property while continuing to secure PennDOT approval for connection to Canal Road. They could use existing farm lane as emergency access to Espresso. Other issue - zoning of Commercial and Industrial on same tract, consider submitting an application for the rezoning of everything on SW side of Espresso to Industrial and keep remainder on NE side as Commercial.

Discussion was held on this presentation and how it could also accommodate the requested interchange.

Agreed that what has been shown as proposal seems ok.

Solicitor – Attorney Andrew Miller

§ LERTA ordinance to be adopted tonight or at October meeting. It will not change area and will extend for one year. David L. Naylor motioned to adopt resolution 2008-9 extending LERTA for one year. Barry E. Rudisill seconded motion, which carried unanimously.

§ PA Environmental Council completed a Rivers Conservation Plan for Conewago watershed and they are requesting municipalities to adopt resolution of endorsement for submission to DCNR for rivers registry.

This impacts grant Funding with DCNR for watershed projects

Barry E. Rudisill asked if any municipality not joined?

Attorney Andrew Miller explained it is a huge watershed and a lot of municipalities are involved, he would expect support, does not bind a municipality just giving support

David L. Naylor motioned to authorize Attorney Andrew Miller to prepare resolution for October, Barry E. Rudisill seconded and it carried unanimously.

§ Code revisions still on agenda – plan on October 22nd to review

§ Open Records Officer needs appointed – agreed to select records officer in October.

The new Director of Open Records Office expects November timeframe for getting forms.

Attorney Andrew Miller commented that the open records office will hold training sessions

Engineer's Report – Byron Trout

- § Garrod Hydraulics need signature, have bonds in place start in 2 weeks and be done by 10/15
- § Surety reductions per recommendation of Gordon L. Brown & Associates
 - Penn Waste recycling center \$155,033.82 – Barry E. Rudisill motioned to reduce David L. Naylor seconded and motion carried unanimously.
 - Northern Heights – in book by mistake, already completed
- § Orchard Business Park lot 1 request regarding right-of-way extension at end of Bartlett to Gross property. They wanted to cut off 10' short. The right-of-way will be shown but kept private-not adopted.
- § Mr. Bryant has been contacted for wearing course, provided list of contractors to him
- § Conewago Heights – repaired curbing at Steffie. Newberry Township cash that has been held needs released. Release funds per motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.

Correspondence

Rail Trail contribution letter - consider next month

Manager's Report – Terry R. Gingerich

- § Northeastern York County Sewer Authority – no questions
- § Zoning Officer – no questions
- § Public Works Director
 - no questions at this time Barry E. Rudisill added there was not a chance to review
- § Recreation Board – no report
- § MM0 \$32,623.40 will bill in February, need approval for submission. David L. Naylor motioned to approve, Barry E. Rudisill seconded and asked if amount budgeted. Terry R. Gingerich answered yes, is less than budgeted. Motion carried unanimously.
- § Tax exonerations:
 - KWZ court settlement \$707.57 David L. Naylor motioned to approve, Barry E. Rudisill seconded and motion carried unanimously
 - Asbury Point LTD TABLED Does not indicate what property. Need more information
- § Emergency Services Donations – to be discussed later
- § Website contract with Rick Naylor \$190.00 for year. A motion to renew by Barry E. Rudisill was seconded by David L. Naylor and carried unanimously. David L. Naylor would like to see more pertinent information such as miles of township roads, square miles of township. Likes pictures of road crew.

Supervisor's comments

Barry E. Rudisill

- sidewalks in Orchard Business Park and for Willow Springs Road, Terry R. Gingerich reported that most completed. Starbucks need completed, but is being worked on
 - Board Road improvements for school. Terry R. Gingerich commented probably on hold till Spring concern about 10/15 PennDOT deadline, held a meeting with Stewart & Tate
- Byron Trout - drainage improvements to be completed then temporary patch for winter need PennDOT permit, issue with posting surety

- road projects for 2008 - what has been done?
 - Dauberton Park - not complete
 - Board Road and Chestnut Street intersection - not complete
 - Greenfield drainage issue - at DEP with update information expect permit with next 2-3 weeks
 - Park Street - not complete, Terry R. Gingerich reported try to stabilize what have cost of blacktop doubled
 - Jerusalem School Road - complete
 - Canal Road drainage - complete
 - Dauberton Park park improvements - complete
 - Garrod Hydraulic - ready to start
 - York Street - in for block grant
 - Locust Street stormsewer - complete
 - Mundis Race Road base repair - complete
 - Forge Hill Court - not completed made some repairs
 - Dellinger Road sink hole - not resolved, being watched closely
 - Dauberton Park tree removal - not this winter
 - Meeting House Rd - not completed, PennDOT for light has been issued but not for the improvements
 - Saginaw overlays - pretty much completed

David L. Naylor

- annual county convention – Both Barry E. Rudisill and David L. Naylor are attending.
- EMS

The following statement was read:

As some of you may know, the Township and the Fire Departments, and EMS have been in discussion on how to best serve the residents of East Manchester. With your indulgence, I'd like to read a prepared statement, so that the details of our efforts are recorded accurately and without misinterpretation.

First of all on a personal note, I'd like to make one thing crystal clear and that's the gratitude and appreciation that I feel towards the men and women who volunteer their time to keep us safe. Anyone that rushes to aid someone hurt in an accident or needing transport to a medical facility, or to those who rush into a burning building to save life or property, are included into a group of individuals that I consider heroes, and I thank you for your continued service.

However, over the past year and a half, the tension between the three emergency providers that provide the Township with these vital services has risen to a point that no longer can be ignored, or tolerated. The safety and welfare of the citizens of East Manchester Township is, and always should be, the number one concern and accountability of the Supervisors.

In an effort to reconcile these differences, the Board of Supervisors held public meetings with the principal members of these organizations. They were directed to meet on their own, and present back to us among other items, a consolidated and coordinated plan on providing emergency services to the Township. The response was, in our opinion, inadequate, and clearly demonstrated that intervention was warranted.

House bill 1131 which went into effect this summer, clearly outlines three specific efforts that the Township must undertake.

#1 Fire and EMS providers be invited to the table to discuss, and give input, on the delivery of Emergency services to their local communities.

#2 Local Government, and Emergency providers develop a partnership approach to the delivery of emergency services, and that they jointly establish service delivery goals, plans, and budgets.

#3 The bill also stipulates that the Township, is responsible for ensuring that Fire, and EMS services are provided within the Township, by the means and to the extent determined by the Township, including the appropriate financial and administrative support for these services.

These three points were clearly explained, and in addition to creating a plan to provide emergency services, the providers were also directed to return with training histories, a five year forward looking financial plan, including anticipated capital projects, and develop a consistent report that outlined incurred yearly expenses.

Under review of the forward looking capital projects listed by both Fire Companies, if became evident that both have visions of major building expansions, as well as equipment replacement. Although these projects may indeed have merit, it also became clearly evident that coordination, and communication between the two departments were at best, non-existent.

We want to make it perfectly clear that the Supervisors are not the subject matter experts when it comes to Fire, or EMS procedures, or tactics, however one does not have to be an expert to see that our community has evolved to a point where the citizens deserve the best possible services that their tax dollars can provide, and that a consolidated effort would result in a better, and possible more economically sound end product. This is why the Township made a concerted effort to bring the providers together, to encourage consolidation, and at the very least coordination, which in our opinion has failed. Our fear is that if this fragmentation of services continues, the safety of our citizens would be jeopardized.

And finally, my actions in these matters will most likely be viewed by some as personal, due to my relationships with many members of the emergency services community; however, those relationships have no bearing what so ever in any of my recommendations, or decisions made in the best interest of the citizens of East Manchester Township.

The following motions were made by David L. Naylor:

#1 That East Manchester Township initiates, and signs a letter of intent, to under go a study of the Township's Emergency Services by the DCED. This service is provided free of charge by the Governor's Center for local Government Services.

Barry E. Rudisill Barry E. Rudisill seconded the motion and asked Attorney Andrew Miller if he saw any issues.

Attorney Andrew Miller saw no issues but had a question on who was going to prepare the letter of intent.

David L. Naylor has one from DCED that is to be signed by the Chairman and the Township Manager. There is a meeting on 9/16 and Dave will be in contact with DCED this week to try to get that pushed up in their pile of paper to initiate the study. Dean Fernsler has retired and Harry Krout will be the person assigned to work with the study.

Attorney Andrew Miller added that it is fine to do by motion.

David L. Naylor commented that the study is to get an outsider's view on how things are done. Motion carried unanimously.

#2 The Board authorizes the Township Manager to dispense funding to Eagle Fire Company, Mt. Wolf, and Union Fire Company, Manchester, amounts equal to, but not to exceed one half of the yearly budgeted totals, but not to include the recruitment, and retention funding, Each Fire company will receive \$22,500.00 for Fire Protection and \$12,250.00 for Fire Equipment, resulting in a total of \$34,750.00 to each Fire Company.

Barry E. Rudisill seconded and motion carried unanimously.

#3 The Board of Supervisors returns primary responsibility for Fire and Rescue services to Union Fire Company, for the interim period during which time the Emergency Services study will be completed. The Board of Supervisors will make a final determination after review of the study recommendations. It is also stipulated that in the interest of public safety, both Union Fire Company, and Eagle Fire Company continue dialog with the intent of forming a consolidated and unified Department, to serve the community at large.

Barry E. Rudisill seconded for discussion. He believes it is important to recognize the interest as Supervisors is strictly in the interest of township residents and the end goal is to have adequate emergency services for protection in the township.

It's unfortunate to have to come to this position to have to bring in third party hopefully to get issue resolved. I really tried to put off as long as I could, I'd feel remiss if something is not done.

David L. Naylor - I agree Township has been patient Township has been letting all principal parties know what wishes would be and that is to have a consolidated unified front in emergency services and we can't bring the two sides to come together. The two sides refuse to get together. I think this opens the door and it's highly recommended that both walk through this door.

Motion carried unanimously.

Bill Approval

Motion from Barry E. Rudisill to pay bills was seconded by David L. Naylor and carried unanimously.

Public Comment

Ryan Brenneman, Chief of Eagle Fire Company would like to add to do this with an open approach and keep communication open. He has heard enough rumors and slanderous comments. Questions on response capability and after investigations have been done, there was no contact to the incident commander for those calls. As a township resident and Eagle Fire Chief he feels that at this point there is someone too close to make those decisions, need to go about right way. If start putting sour taste in people's mouth before the DCED study, will the end product be what is wanted?

David L. Naylor- The end product wanted is unified fire services in community which not only benefits the township it would highly benefit the Boroughs as well. The lack of communication and cooperation between the two departments has forced the township to make this decision, which we did not want to make.

Ryan - It's a 2 handed approach, communication goes both ways, punishing one and giving over to the other, there's a lot of great things going on and in motion; threatening to pull that back is going to lose momentum that has been gained over last months by naming one department over the other before DCED has stepped foot in here to recommend anything. There are a lot of new faces and momentum going forward and to do this is a step back, why do it? If DCED is coming in here to do a study, then let them take care of it.

Barry E. Rudisill commented on open communication between all 3 entities – both fire companies and the ambulance club to have DCED make accurate recommendations.

Jay Smith President of Eagle Fire Company commented that he heard Mr. Naylor say the 2 fire houses could not get along, what about EMS, where is that concern? If working on this all year long would have been nice to have included us, we knew nothing about it.

Terry R. Gingerich - can't keep my mouth shut – question, so everyone South side of township will have Manchester Fire Co. responding?

David L. Naylor –at this point forward on interim basis until conclude study Union Fire Co. in charge for entire township

Terry R. Gingerich – what if a train is blocking the tracks in Mt. Wolf – you are losing seconds. I had a fire in 1978, stood there watched the fire come out, I guarantee seconds count and I am very concerned about that.

Joel Klinedinst – the Huntsberger fire awhile back and that a lot of people here tonight were not involved the, but this is bringing that problem right back here tonight. There was a fist fight in the middle of the street because one company took equipment off another company's truck while there was a little boy dying in the house. You want to stir this all up again, he questioned why can't you wait till this study you've awarded is complete till you assign protection to a certain fire department. You are just going to drive this knife deeper into both. I have a dog in this fight as well, just as Terry. If my house catches fire in Saginaw and I have to wait for the Manchester Fire Company to come past the Mt. Wolf. Fire Hall to fight my fire, my God help you! This is just putting the cart before horse, getting out of line. We remember when it comes voting time.

Cheryl Klinedinst resident speaking as a retired 911 York County dispatcher. The 911 center is going to have to change the whole system for the entire township, it takes months to do, and even though it is computerized 911 center, it takes time to redo. It takes someone to put information in, every street, every box has to be redone to dispatch 23 over 22 even when 22 is closer. They are tremendously understaffed, working mandatory overtime and 12-hour shifts to fill the seats just to answer the phone and dispatch so please take into consideration before putting more work on 911 and before doing something that could backfire and get someone hurt or killed in this township.

Chuck Kraft – This is really the first heard much about this, and I agree what you are doing is a step in right direction with DCED study, but like Terry and Joel, splitting up now shows favoritism toward one over another because you are making that decision ahead of time. Really think things should pretty much remain the same till facts are in.

Ryan - do have agreement in place that states 45 days notice to end contract.

Scott Elfner - last year when Trevor Rentzel at end of 2006 left Eagle Fire Co, due to the fact that this consolidation thing fell apart and I wasn't at the meeting here on Aug. 27th out of due concern for everybody involved because I supposedly was the blame for that falling apart. I've
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heard all the rumors about I've got this box that has this stuff stolen, well I'll tell you what, the box that came back to Eagle Fire Company had a bunch of empty binders in it, so I don't know what was in place. Secondly, last year 2007, we didn't have a Chief, we had acting Chief and I was the President, you asked and we put station 17 on the box for the Sherman Oaks area. Eagle has done everything this Board has asked, do you understand that?

David L. Naylor – yes, I do.

Scott – And those rumors that they rejected our boxes - what they rejected was lines we put on for maps because the way we drew them wouldn't work with the way the streets were, they had to make a designation. I'm with Mr. Craft here, I'm a resident, I'm involved, for you to say here you go, heck with you guys, why even do the study. Bottom line is something's rotten around here and it's starting to stink. I have no problem getting together to have a meeting but you know as well as I do that you can't have somebody that's already involved in it be in the middle and facilitate. The talk about a fire authority that won't work – that's like a slap in faces of police board and sewer authority, like saying they failed.

David L. Naylor – Scott, I don't think anyone specifically said fire board would not work. I said I am not in favor of forming a fire board. Not in favor is not the same as not going to work, if DCED recommends forming, will take under consideration.

The only thing we are trying to do because of animosity and tension between 2 fire departments is have one fire department in charge of the township. That's not to say that Mt. Wolf is not going to be first due on boxes but there's going to be a concerted effort that both fire companies are going to be forced to work together, if we have any way at all to pull that together we are going to do that. So when there's a house fire up here, Mt. Wolf's tones will go off, they are not going to sit there in Eagle station idly by while Manchester motors by – that is not our intent. I think a lot of it is going around being blown out of proportion, it is a very personal situation with everybody and I commend your passion (all of you, however that's not our intent).

Joel - What you are doing tonight is knocking out the fire in these guys, yeah they are going to be first dispatched, but why should they go? You already placed the authority on top of the hill, what gives these guys the drive to get out of bed and go, you've just cut them off at the knees, you basically slapped them in the face and said you guys aren't worthy of this job, we are going to have someone else come in and tell you what you are going to do, when for how long Mt. Wolf Fire Company has been in existence, they've been able to hold their own and do their job. This Township has the natural boundary to delineate fire departments - the railroad tracks. We do it with the police department, have zones set up to determine who is in charge for what side. I feel the motion you made, I respect you for it, but I think again you are putting the cart before the horse. You are making a motion without any basis because you haven't even had your study yet. If this study is going to take 45 days or 6 months, let them take that, then when they come back and say this is what we have on paper, then make your motion then nobody would have an argument with that, but right now you have no basis for this motion.

It's the same as the fiasco we had with the police department people said we are just going to put this department in charge until we do a study and decide whether or not we are going to make any money, you can't do that you've got to have your facts in line before you do that. You are basically jumping off the deep end and not knowing how much water is in the pool – that's basically what it amounts to.

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Scott - Mr. Naylor, you asked me last year what I think about consolidation and I said I think someday it is going to have to happen - one to provide the service and one to afford it. I'm a taxpayer and I'm getting concerned about where this is headed.

Ryan – When we spoke today and I spoke with Mr. Rudisill and told him we were for the DCED coming in. I spoke with Mayor Kinder, what we wanted and exactly what I expressed to him is that it has to happen openly. Reference to HR148 from DCED on mergers and regionalizations, why and how they fail or succeed. When you force something and take steam out of something and you bash the guys, however it may be perceived, and I understand that is not how you are trying to make that sound. Remember it is an all volunteer force, these guys spend at minimum over 100 hours of schooling and are away from their families for the basic essentials. You are going to risk “p***ing off the free labor” excuse my expression. You have to tread on the subject lightly and that's what I tried to get across to Mr. Rudisill today. Even though this is a good idea and I support the idea; you've got go about it the right way, or it's destined to fail from the start.

I understand the motion went through, had the motion not gone through we could have looked at this. Could have look at it openly and said we are coming together to let DCED do this.

I'm worried when it gets back to the guys, however it might be perceive then, I can tell them DCED is coming in and it might over turn things and they might put a fire board in. Why do this, might lose volunteers. It is the number of volunteers that are going to respond. I hope no one quits over this. I don't think this was the right way to go about as a resident and Fire Chief. My personal opinion is that you are too close to make that motion and publicly state it and it should not have happened like this.

We do have an agreement for 45 days and will take a look at that.

What did third motion benefit? If still responding to calls, other than taking steam from us what did it benefit? Nothing is going to change over night, tomorrow we are not going to operate any differently than we did today except that we've p***ed a lot of people off ahead of the DCED merger which is fact 1 of what they say in the report as to why mergers fail.

James Kinder, Mayor of Mt. Wolf Borough - I just came from the Borough council meeting where we endorsed the DCED study. However, we are very adamant that the original fire companies respond the way it is, I think you are getting some bad information on what our department can and can't do in Mt. Wolf Borough, it is evident that you are not getting it from us because you guys haven't been to a meeting to discuss anything. The conversation concerning the wreck on Wago Road and the canceling of the rescue, evident where that came from because you did not talk to any of us. I think you need to revamp, we are probably in better shape now than in the last five years as far as people responding and making calls. Why didn't we start this 5 years ago when we were hurting? If you've seen our sign, we have 4 more new members, got a couple guys in school now. My personal opinion is this whole thing is a personality issue, if we can't be leaders enough in our separate departments and our communities and overcome that then shame on us.

David L. Naylor – with that statement, Mayor, than shame on both departments, both Union and Mt. Wolf.

Jim – DCED is the one that makes that study. The 2 departments have no reason whatsoever to be trying to do a merger, they need help from outside, and they've proved that.

David L. Naylor – that's exactly right and that's why we identified that we need to do a study. However, we tried and tried to bring both parties to the table, to get you together to consolidate, to coordinate and make a unified effort and it failed. It is not my intention to take wind out of anybody's sails or diminish anyone's capacity. My intent is to protect the safety of our residents in East Manchester Township. And I truly feel that is what my motion should reflect, that is my intent. The beauty of democracy is that this can be remotioned and appealed.

Joel – I think it should be done tonight because I think you are causing a problem. If you take the dog that runs away and beat the crap out of him when he comes home, what are you gaining – he is going to run away again tomorrow, you've got to teach the dog what you want him to do. Replacing him is not a question.

Ryan – If I come back next month for a remotion, I am going to have about 2 hours worth of information for you, so I suggest you hold a public hearing because if I have to come back next month with every resident that Asbury Point and Sherman Oaks, with people that have had fires.

Joe Bartolo – I'm a new resident of the township, moved in here of April of this year and joined the fire department, I'm a fireman and reservist and for someone like me who is married and has a child and one on the way and has to give up my free time which I don't have much of with work and a family to be a volunteer fireman; this makes me sick to my stomach. Being a new person and not knowing the people in the township, I know some of guys in the fire company there's a lot here and I know their faces because of doing stuff with the fire department, but I take my own time to train, I take my weekends away from my wife and child and it doesn't make a bit of sense why you want to ruin something that works for everybody right now. There's no reason to change something that works and forcing something never works. Do your study, let us go about our business, let them decide what they want to do and let that outcome, then we will have to deal with at that time.

Blaine Rentzel - I sat here and I listened to this and I guess I'm the old man of group here tonight. I think your last motion of putting somebody in charge is what has this stirred up. These young people that are out risking their lives to protect the people of the township shouldn't be kind of kicked in butt and put on the back burner. I think it would be smart for you gentlemen to rescind that last motion, and let it run the way it's been running, have study done. I think it would save a lot of problems for everybody.

Jason Smith - I'm an electrician by trade 40 hours a week, Troy Rentzel owns a business, and who knows how many hours he works a week. We all are volunteers.

David L. Naylor – that's not the issue

Jason - That is the issue, just let me finish. I get up at 4:45 in the morning to go to work, if that pager goes off at 4:30, guess what, I'm allowed to go on that call, my work don't hold me accountable. I get out of bed because I love it, no one in this township makes me get out of bed. I love it, Troy loves it, Joe loves it. Just remember that you are crapping on a whole load of guys that work 40 hours a week or more.

David L. Naylor -The motion does not shut the doors of Eagle Fire Company.
East Manchester Township

Ryan – This is what we didn't want to happen, this is what was the whole purpose of bringing DCED in for because you cannot go about it this way. There's got to be a fresh way to do this. There is stuff and mud being thrown about one department and I'm personally upset that you have information about vehicles that were cancelled. When did you come to the incident commander? As a Township Supervisor as you stated you investigated, when did you come to the incident commander and ask what happened on Wago Road regarding the rescue? I was the incident commander and I'll tell you there was one patient and 3 EMT's, an ambulance with 2 additional EMT's and two paramedics on the way. If we needed a rescue truck with 2 EMT's cause that's what was on it to take care of that patient who was packaged, ready to go as the ambulance pulled up ...,(garbled)

David L. Naylor – Ryan, I'm going back to my discussion with Mayor Kinder and I didn't say that I investigated

Ryan – you formed an opinion on it.

David L. Naylor – I said the rescue was cancelled. Was the rescue cancelled?

Ryan - Yes, but did you come to incident commander to find out why?

David L. Naylor – No, I did not.

Ryan – That's one half the problem, you can't form an opinion based on one side of a story.

David L. Naylor – I tell you what, I just wish that half, half the amount of this passion was put into the effort to get together with the two fire departments and bury the hatchet between you guys.

Ryan – I called a meeting in January, I called a meeting in June between President to President, Chief to Chief. We called the meetings, if that's not working for you Dave, then I'm sorry that we didn't get together.

David L. Naylor – We gave you 90 days, Chief, 90 days.

Ryan – right, and you're punishing one, 2 departments and you are punishing one. That's all I'm saying, why isn't everyone being punished? I commend Joe on taking the lead on getting ???(garbled) back, with work schedules, vacations, it was difficult to do it.

David L. Naylor – 90 days

Ryan - I'll also add that there's existing box plans in place that I presented to you. I highlighted box 22-12. If there is a fire tonight or tomorrow morning - that is how it will be dispatched. There's no other way about it, the dispatch is off a preset plan. It is already in place. The only thing we need to get together on is to hash out some of our personality differences. And that's what it comes down to, personality differences as Mayor Kinder said. We have to work past that and at some times will be difficult, but the township services aren't affected either way.

David L. Naylor - No, I disagree the services to our citizens of the township has been suffering from the tension and discontent and jealousy between the two departments and we have decided that we can no longer tolerate that because we brought you together, both you and Joe to reconcile your differences; it did not happen, we warned you, we warned both of you that we would have to make a tough decision and appoint one as the head lead fire department for the township, we warned you and you still declined to do that. The 3 possibilities were: a status quo, which is out of the question, name one entity in charge of fire services, or create a fire board. We decided not to go with a fire board, so that leaves the one. Ryan, I'm putting the onus onto Mt. Wolf and to Union to get, ok I'm putting the onus onto Mt. Wolf to get together with Union to reconcile your differences and have a coordinated unified effort. That's all I'm asking and I'm forcing the issue now. The issue is that you've still got your funding.

Ryan - that money is not why we do this

David L. Naylor – I know that and that's why I told you in the first meeting on 27th, no 90 days before that, that the financials do not concern me, financials are financials. What concerns me is that when the jealousy and hate and discontentment between these two organizations get to a point where in my opinion and the rest of the Supervisors evidently because Barry you seconded it, is that is jeopardizing the safety of our residents. And in the interim period we will have Manchester in charge is not to say that Mt. Wolf is not going to be in boxes, it is not to say that Joe is not going to be in contact with you. It says that we have one entity in charge of the services until we get this straightened out. That was my intent and only intent. My intent is not to destroy Eagle Fire Company, it is not.

Terry R. Gingerich – well I'll tell you Dave you might as well tell all these guys to go home..

David L. Naylor – no Terry, no

Terry R. Gingerich – yes, because that's what you are doing Dave.

David L. Naylor – no, I am not

Terry R. Gingerich - I don't care if you give them a million dollars, they cannot get that fire equipment out of the garage down there if they don't have help

Joel - Dave My question is, through all the conversation that went on, all the points that have been given out, through everything, your only reply is that we warned you. Did you make a promise to somebody that this was going to happen?

David L. Naylor – yes

Joel - why can't you save face and just with say we'll rescind this motion if we can see that the DCED says this is an issue that we need to address, then make that motion. To make it now you are not doing yourself any favors and you are certainly not doing the township any favors. You can say all you want that this if for the township residents, but this is taking the township residents apart because you just took a fire company from them. You can say here's a bunch of fire equipment in Mt. Wolf but if guys are upset and don't want to come, what's to say, oh well, I

won because now Manchester can take over or any, like York Haven, whoever it is. You don't want to lose what you got now and that's exactly what you are doing, and I can't see that you can't see that.

David L. Naylor – ok

Joel – I'm not a fireman, I'm not involved in the in between things, but I'm a resident and I don't want to see us lose a fire company.

David L. Naylor – ok, if I make a motion to rescind my previous motion and I'm going to look at Mayor Kinder and you (Ryan) as well, will we make a concerted and genuine effort to get together with Union Fire Company and have a unified emergency services within our community?

Kinder - at directions of DCED

David L. Naylor – at the directions of us. I'm asking you at the direction of us. In the meantime, until we supplement that effort with the study of DCED

Ryan – we will make a concerted effort to ensure the residents

David L. Naylor – will you make a date right now, will you compare calendars with Chief Stevens?

Ryan - sure

Barry E. Rudisill – you know there's no reason we need DCED involved in this at all and it hasn't been a reason that that should have happened from the very beginning. I remember when Dave Krouser was Superintendent in the school district and I was at meetings with him and we had problems in the district and Dave said to me, as long as there's a railroad track in this town we will never have a unified community. And boy he was right on. So we've come to the residents, members of both fire companies and we said what do we do? It's up to you people, you are the professional fire fighters, we are government officials. We have to rely on you people to resolve your internal problems and get together and give us fire protection in the community. I don't think we need a consolidation of the fire companies, I don't think that's necessary

Joel – I'll commend you on the DCED study, you've got to get someone that is not involved.

Barry E. Rudisill – Why Joel?

Joel – Because you need a non-bias opinion. You got to get somebody that standing outside and looking in, there's too much emotion.

Barry E. Rudisill – Well there, I agree with you, but these people need to be professional enough to put that aside.

Joel – I understand that, Barry and they all agreed that they are willing to abide by DCED. So it's not going to cost us anything, let's do it. They already said they want this and you are getting a fresh outlook from somebody who has no dog in this fight. They are not even involved with it, let them do it. You did it with the police department, why not do it with the fire department.

Barry E. Rudisill – I have to say the situation with the police department was a little bit different because we were dealing with the paid policemen.

Joel – No I'm talking about the three municipalities. Come in and see what the three municipalities got to do.

Barry E. Rudisill – oh, I see what you are saying.

Terry R. Gingerich – We did have a study by DCED.

Joel – You have to have an outside entity that has no dog in this fight to come in and overlook the whole picture.

David L. Naylor – I agree with Joel, but still when the police was formed there was still contention and discontent.

Joel – There's still contention and discontent, I'm not saying there's not. But we looked at it from an outside agency and they offered up their opinion and through the most part the police board and the police department aligned themselves to their recommendations. And I don't see a problem with the fire departments doing the same thing.

David L. Naylor – Can you (Ryan) and Chief Stevens get together right now because I want to know a meeting date that you guys are going to.

Meeting set for Thursday 10:00am using the police conference room.

David L. Naylor – Now I want to say just one thing to Joe and Ryan, it is going to take more than you 2 guys. We are going to require some leadership on both departments because not all of your membership is going to be in favor of this. So it's going to take some strong leadership to pull this off. Like I said before in previous meetings I don't expect you guys to go out have beers together, but when it comes to public safety I need a unified coordinated effort. And if this does not happen, either before or after the DCED study is done, then this motion will be on the table again. I don't want to use that as extortion but that's just facts of life. So I make a motion that I rescind my previous motion to put Union Fire Company in charge of rescue and fire services in East Manchester Township.

Barry E. Rudisill seconded and it carried unanimously.

David L. Naylor – ok, so both Union and Eagle you have your work cut out for you. We are going to supplement that effort by DCED study. That man may come in here and tell you paint all your engines orange, I'm not saying we are going to go by every recommendation that DCED does, but the recommendations that we do receive, we are going to all sit down together and we are going to discuss them and we are going to come out for the best possible emergency services operations for East Manchester Township and the surrounding community because that was my intent from day 1 – it was not personal.

Public Comment

Joel Klinedinst suggested that PPL be contacted for locks for the gates on Gut Road to assist in keeping uniform locks. The police department carries the keys and it would be helpful to have them all keyed alike.

Dave Bloss mentioned the problem of water runoff at Willow Springs Lane with the work being done at the corner of Board Road. The drain was packed and running over this morning. Byron Trout commented that it will be notched to allow flow toward York Tape.

At 9:21pm, David L. Naylor motioned to recess to Executive session.
The meeting was reconvened.

A motion by David L. Naylor, seconded by Barry E. Rudisill to approve the settlement agreement between Vas-Land and PPL and issuance of the Lot 38 occupancy permit conditioned on the following was carried unanimously:

1. Incorporation of agreed upon changes to the agreement.
2. Submission of the Revised Phase IV Final Plan and approval by the Township staff.
3. Submission of the quit-claim deeds to Attorney Andrew Miller for approval.
4. A copy of the final settlement agreement executed by Vas-Land and delivered to the Township with a copy to Attorney Andrew Miller.

It is noted that all other standard conditions for occupancy are applicable.

At 10:38pm, Barry E. Rudisill motioned to adjourn, David L. Naylor seconded and motion carried unanimously.

Respectively submitted,

Terry R. Gingerich
Township Manager/ Secretary/Treasurer