

**EAST MANCHESTER TOWNSHIP  
BOARD OF SUPERVISORS  
SEPTEMBER 13, 2011**

Present: 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, David L. Naylor, in the absence of Chairman 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 August 9, 2011 were accepted per motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.

David L. Naylor disclosed that the 3 Supervisors met on 9/19/11 to survey the damages from the storm and flooding. No decisions were made and no action was taken.

**Land Development - Manor Village final lot add-on**

Joel Snyder of RGS Associates and Hugh Simpson representative for Robert Field, property owner, presented the final lot add-on plan for Manor Village and Gross tracts.

This final plan #2005657-009 & 2007915-001 dated 6/30/11 revision 2 of 8/26/11 is to create an add-on lot to the Gross property in exchange for sewer and water easements across their property to serve the future Manor Village development.

Two waivers are requested:

- The request for a waiver under EMT Code § 208-31.A.(2)(a)[6] to allow existing contour lines at vertical intervals of 2' w/natural slope of 4' and intervals of 5' w/natural slope exceeding 4%.
- The request for a waiver under EMT Code § 208-34.A(3) for scale of 1"=200' to be drawn at scale of 1"=500'.

Discussion was held on the waiver requests and the following conditions:

- The applicant/owner shall obtain signature of licensed engineer or land surveyor on the plan in accordance with EMT Code § 208-31.A.(2)(a)[2].
- The applicant/owner shall obtain approval of owner(s) as evidenced by signature(s) on the plan in accordance with EMT Code § 208-31.A.(2)(a)[3].
- Satisfaction of conditions or outstanding administrative procedures of preliminary plan.

Barry E. Rudisill motioned to grant the 2 requested waivers. Motion seconded by David L. Naylor and carried unanimously.

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 conditionally approve the plan as discussed and recorded was seconded by David L. Naylor and carried unanimously.

## Public Comments

Todd Strickhouser 305 Creek Bottom Road – The Rentzel Heights pond overflowed causing damage to the neighbor's property, washed out the lane, damaged his sand mound among other things. Pictures were shown.

Byron Trout asked if the water came over the main or spillway.

Todd answered spillway and mentioned this is the third time the pipe is out in 3 years.

Byron Trout did look at before with Rob Fetter. It appears that the silt fence directed water behind Joe Lam. Rob gave permission to remove silt fence to allow water to be directed into channel.

Todd commented that it's never been there, ends up in his woods.

David L. Naylor asked about gutter at top – should it be directed there?

Todd answered that John Thompson was to put pipe there - he was fired, so it never got done.

Who makes modifications?

Byron Trout commented that the developer needs contacted – it's theirs. The only conversation with Rob before was to remove one baffle, which was done.

Todd was told it works the way it was supposed to in the last conversation with Terry Gingerich.

Byron Trout, Rob Fetter, Dave Gentzler, and developer are to continue with this.

Joe Lam 155 Creek Bottom Road presented his pictures of the damage. The developer was notified. He has brown water and the new pump has burnt up.

Dave Gentzler asked for letters from Joe and Todd including all damages.

Byron Trout gave a brief summary on the volume of water from this storm - homes, businesses and private properties were inundated with something similar to a 500-year event in a very short time.

Amy Sterling, secretary of Orchard Glen HOA commented on their ongoing problem with water. They had been here in May from damage and are back again.

Byron Trout reported that he investigated and was there just after this storm. The inlet in year is set 4' too low inlet and appears to be 10 times too small. The excess will go around and into the building.

Amy explained that they have added roof drains and sump underground to help. Questioned how do you rectify this?

Byron Trout responded – can add drainage, regrade, need more engineering.

Amy asked about the water coming from the Township street.

Byron Trout explained that is existing and is going to inlet.

Dave Gentzler added at the time of that build, rules were less stringent codes have been implemented since then.

Byron Trout also noted that the 1' drop was to be 4' per plans.

Keith Brim 80 Brendan Mews, President of Northern Heights HOA spoke regarding ongoing problems with stormwater.

Byron Trout reported that he was at an 11:00am meeting with Rob Fetter of YCCD, John Hoffer, and Mark Will of JPM Northern. They intend to redesign channel for improvements. They said will take care of Chris at 205 Brendan Mews by readjusting grades and channel.

Keith mentioned the buried wood now decomposing is creating sinkholes.

Byron Trout – they were told to remove wood.

Keith is concerned the wood problem will continue. He also mentioned a low spot where water came out over. The dirt settled and slid. He will keep Byron Trout and Rob Fetter involved. Byron Trout will be there when work is to be done.

Clint & Sue Payne 25 Hill Street presented photos of the backyard of 55 Old School Lane. The property in front is decent, but the problem with junk has moved to backyard. The photos taken this morning indicate a gas can which is used to burn brush pile and garbage that is on the property.

Barry E. Rudisill commented it appears to be a problem that may need District Justice action. Katrina Rife to investigate and proceed with enforcement.

Deidre Promutico 1060 Second Street had problems alongside house with water coming from above properties. She now has much trash and debris.

Steven H. Gross, Jr. suggested just set out each week for trash pick-up. Penn Waste will cannot take extra all at once and there are no dumpsters available.

David L. Naylor asked to have Township put on list for dumpster. Discussion on dumpster at township building for extra trash.

Repairs to drains on private property should not require permits. Make sure not putting drainage onto another property.

David L. Naylor – give cudors to road crew, both fire departments and police for a team effort during this storm.

Joe Stevens, Union Fire Company has been busy - 73 calls in a 48-hour period with 36 hours ongoing for volunteers.

Mark Schroyer, Eagle Fire Company reported 80 calls - 22 emergency, 58 public service. There were 7-11 guys on the go. They helped with Riverview and 78 Burberry. Helped clean inlets and placed fence.

Scott Effner lives next door to township building and expressed he does not want extra dumpsters there due to odor, noise, etc.

### **Special Request**

Shelley Park donation – Dave Gentzler called Newberry Township Manager Don Keener about this. Attorney Andrew Miller commented that if use is recreational and fits the recreation plan, then money for recreation facilities can be used. Will this be used by Township residents? Question on how funds will be used. If money donated or given, there is no control. Barry E. Rudisill expressed that we can't come close to amount they need.

Joel Klinedinst suggested a MOU on reciprocation when and if PPL park needs more development.

Attorney Andrew Miller asked if he should contact their solicitor to discuss an intergovernmental coop or joint recreation board. David L. Naylor would like a representative from Newberry first.

Trick or Treat is scheduled for Monday October 31<sup>st</sup> from 6:00pm-8:00pm.

Manchester Playground sliding board – there is a cost for installation, discussed public works doing. Dave Gentzler prefers to hire contractor – road crew is busy.

Ken Dunbar informed the Board that the budget is tight and the septic issue will be a cost. He can get bids.

### **Correspondence**-none

#### **Solicitor** – Attorney Andrew Miller

- LERTA expires 10/31/11, need resolution to extend for another year. Motion by David L. Naylor, seconded by Barry E. Rudisill to prepare a 1-year extension for next month's meeting. Motion carried unanimously.
- Information from a Pittsburg company specializing in cable / telecom agreement was received; they are offering a free review - ok
- SWO – spoke with County Solicitor on compliance with ACT 167 PA SWM Act approved by DEP as new model stormwater ordinance. Obligated by end of October for compliance. Has been reviewed by Byron Trout and discussed with County, asking for authorization to advertise to adopt at October meeting. Motion from David L. Naylor to advertise ordinance 2011-2 for hearing to adopt at the 10/11/11 meeting.
- Ordinance for Act 32 to consolidate tax collection. YATB already collects. It is ready to advertise for adoption with no rate changes ½ % residents and 1% non-residents. A motion to advertise to adopt in November was made by Barry E. Rudisill, seconded by David L. Naylor. After discussion, Barry E. Rudisill rescinded motion; can complete at next meeting.
- Starview Sportsman's Ag Security request has been forwarded to York County Planning Commission, East Manchester Township Planning Commission and Ag Advisory. The Township is due for the 7-year review of Ag areas. A motion for the public hearing on 11/8/11 for addition and 7-years review and the advertisement for same was made by David L. Naylor, 2 by Barry E. Rudisill and carried unanimously.
- Records Retention – an ordinance that outlines retention and purging in compliance with PA Historical Society and Museum guidelines within the Municipal Records Manual. David L. Naylor motioned to advertise for hearing for ordinance at 10/11/11 meeting. Barry E. Rudisill seconded motion, which carried unanimously.
- The enforcement hearing for 891 Market Street resulted in a fine and a settlement to ensure clean-up by November 1, 2011.
- ATV's – Robert Urban of 1460 Conewago Creek Road feels he lives next to a 3-acre race track. The property next door is used for ATV's by people who do not live there, the owner lives out of state. The track is 11' from his house and over 1000' long. He can't go outside. One August 18<sup>th</sup> at 7:05am the police became involved and the noise ordinance did not apply. He is concerned about retaliation. And now the bulldozer is running for 3 hrs on Sunday beside house. Attorney Andrew Miller explained possible regulation on setbacks for ATV's and motor bikes. Ordinance samples were provided. Discussion was held on a stand alone ordinance or something more in noise ordinance. Terry Shickley of 1480 Conewago Creek Road asked if a nuisance ordinance could be considered.  
Barry E. Rudisill – Lt. Daniels has suggested a change to noise ordinance.  
David L. Naylor asked for patience while they try to get this right. Agree ordinance needs changed.

**Engineer's report – Byron Trout**

- Saginaw stormwater project bid opening - 5 bids of 11 picked up, lowest Twin Peaks Enterprises \$113,495.00. Others within 10%. Concrete pipe is biggest cost item with \$38,495.00 difference. Option to use plastic pipe for lower cost.  
Discussion was held, estimate of 350' of pipe at \$200.00'  
Promutico property is to be scheduled for a FEMA inspection, contact Dave Gentzler to have Township there also.  
Barry E. Rudisill motioned to table till next month. David L. Naylor seconded motion, which carried unanimously.

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

- SPCA rate increase to \$36.32 for 2012
- St. Paul UM Church will be hosting a walk for a fundraiser at the church using Loucks Street with no closing of road.
- York County Planning Commission meeting reported the block grant anticipated for 9/21
- Signal permit for Meeting House and N George approved. A Met Ed pole is to be relocated for HOP approval. Attorney Andrew Miller added that there is not a lot to do about timing, have pushed as much as can.
- York County Hazard Mitigation Plan update – grant may be available to complete York County Planning Commission will handle
- MMO Pension worksheet for 2012 presented
- 2012 Budget workshop scheduled for 10/26/11 at 7:00pm.
- Recycle bins approved, encourage recycling - pays \$ to Township.
- Northeastern York County Sewer Authority draft minutes for 8/22/11 Barry E. Rudisill asked if there is more information about the DCED contact on a possible dairy processing facility?
- Building maintenance – Ben Druck Door Co. estimate to replace the salt shed door with ribbed steel non-insulated, steel insulated shop door, and non-insulated ribbed steel door for closing in breezeway \$6,934.00. Dave Gentzler believes breezeway opening can be prepared in house for less. After discussion on cost, Barry E. Rudisill motioned to approved with cost not to exceed \$5,000.00. David L. Naylor seconded motion, which carried unanimously.

**Supervisor's comments**

Barry E. Rudisill

- lot next to Rite Aid needs mowing. Discussion on mowing and filing lien on property. Katrina Rife has contacted owner and expects it will be mowed. Send enforcement letter.

David L. Naylor

- start enforcement on 55 Old School Lane
- storm water ponds Byron Trout has sent 60-day letters and some have started cleanup efforts, still have list for clean-up. Lack of maintenance may have contributed to some of the recent problems.
- guide rails for Saginaw Park - Dave Gentzler will get estimate

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

Floyd White of 5160 Board Road asked who decides what kind of curbing gets placed, the vertical or slant? He has slant and it is causing difficulty to get over the 2" edge to get into his driveway especially when you have to get moving to get out of oncoming traffic's way, which are over the speed limit.

Byron Trout – it is based on zoning ordinance, residential gets slant /commercial gets vertical.

James Arex mentioned that he established his residency based on 30 days at a Township residence. He is clarifying information from last month on the information referring to Adnon's description. The website [www.fbi.gov](http://www.fbi.gov) has information with those numbers in print form.

Joel Klinedinst about the rolled curb in front of house. New section is not curbed; there is a low area that is wide open. Seems like back to square one.  
The sinkhole is filled in. Dave Gentzler will call paver.

Bill Marks of Apple Tree Lane on the problems with water at Beechtree in Sherman Oaks. Dave Gentzler explained the design for water to come to inlet and turn right. The volume was excessive and the metal frame for the manhole was not bolted down – it is now.

Jeff Bloss asked about the reflective sign for homes to assist locating at night. Dave Gentzler also mentioned signs for private streets. Discussion on both items was held.

Bob Nace – Noted is now September and no activity on Board Road  
Attorney Andrew Miller suggested that an authorization to send letter to Bill giving 30-days or declare default. Then activity can be started to pull bond.

Bob added that the base is deteriorating.

Byron Trout –can pursue now or may get better job in Spring

Bob – we heard September, it's time, been too many years

David L. Naylor - in July minutes, Bill said September or October

Dave Gentzler – no paving after October 15<sup>th</sup>. If temperatures are up, address on day by day after 15<sup>th</sup>.

David L. Naylor – October 15<sup>th</sup> to April 15<sup>th</sup> not do paving.

Attorney Andrew Miller – would prefer 30-days to get done. It could take time to get the bond pulled and have money in hand, would be next year till that point.

David L. Naylor expressed concern on hurry and get shoddy job. Discussion continued.

Attorney Andrew Miller – a maintenance bond would be in place and inspections by both Dave Gentzler and Byron Trout.

A motion by David L. Naylor to send 30-day letter was seconded by Barry E. Rudisill and carried unanimously.

David L. Naylor recessed to Executive session at 9:45pm for personnel matters.

Reconvened at 10:15pm, no further action. Meeting adjourned by motion from Barry E. Rudisill.

Respectfully submitted,

Dave Gentzler  
Secretary/Treasurer