

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
MAY 11, 2010**

Present: Chairman Steven H. Gross, Jr., Vice-Chair David L. Naylor, Supervisor Barry E. Rudisill, Engineer Byron Trout, Attorney Andrew Miller, 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.

Steven H. Gross, Jr. disclosed that since the 4/13/10 meeting, the Board met on 4/30/10 for roads inspections and general meeting of Board of Supervisors. There were no other meetings nor business conducted since then.

The minutes of 4/13/10 were accepted with a correction to page 3 including the reference to general meeting along with road inspection on 4/30/10 per motion from Steven H. Gross, Jr. seconded by Barry E. Rudisill and carried unanimously.

The minutes of 4/30/10 in memo form from Byron Trout were accepted per motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.

Public Comment

Jim Reandeau of 50 Bryn Way stated John Hoffer deserves credit, he has done what he said he would do, looks good.

Jaime Bell added that since he had been in contact with John, things are happening. He commended the work and efforts on everyone's parts. There was a question on the 27 acres of common ground and its transfer to HOA. Attorney Andrew Miller offered that the Uniform Planned Community Act is the basis on which that is handled. A Certificate of completion by an Engineer will be part of getting a deed to convey the area. The developer and HOA should work to further the process.

Land development - Gross family farm subdivision

Steve Gross recused himself from this portion of the meeting.

Mark Riddle of First Capital Engineering presented a reverse subdivision and 3-lot subdivision #SE 749-I dated 2/26/10 revision 4 dated 4/28/10. A revision 5 will result from comments by Manchester Borough.

The total tract of land is approximately 300 acres consisting of 4 contiguous tracts being combined into 1, then divided into 3 tracts using streets (Manchester Street and Zions View Road) as division lines.

The form B planning module has been confirmed by Carrie Wilt of DEP as of yesterday that it is in order. She will only file it; no report will be issued.

The 4/29/10 Planning Commission report reveals nothing left as open:

per Gordon L. Brown & Associates, Inc. letter of 4/8/10:

The purpose of this plan is to combine four tracts of land presently described on one deed and then to subdivide the combined property into three lots. The property is bisected by Zions View Road and Manchester Street and these streets will be the boundaries of the new lots. No development is proposed with this plan.

The following comments relate to the Township Zoning Ordinance:

2. Lots 1 and 2 are within 100 feet of the Residential Zone; therefore, the industrial areas of Lots 1 and 2 are subject to 100-foot setbacks (s.309.F).- OK

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

5. The following information should be provided on or with the plan:
 - A. Waiver request for street widening (s.8.6.2.A). -OK waiver granted
 - C. Zone boundary (s.5.1.1.B(1)I). -OK
 - G. Planning Module Exemption approval and Form B notation on plan (s.6.1.1.C(1)f).-OK

.per York County Planning Commission letter of 4/20/10:

This comment refers to the East Manchester Township Zoning Ordinance:

1. One-hundred foot (100') building setbacks are to be provided for the portions of the lots located in the I-Industrial District that are adjacent to the existing (R-1) Low Density Residential District (s.309.F). - OK

These comments refer to the East Manchester Township Subdivision and Land Development Ordinance:

2. The following information should be shown on or provided with the plan:
 - A. Any required Sewage Facilities Planning Module approval by the PA DEP or an exemption (s.6.1.1.C.1.f). -OK

Recommendation to grant requested SALDO waivers as noted:

- 5.1.A.3 scale of 1" = 200", proposing 1" = 300'.
- 5.1.B.1.g&f certified survey of topography, request to allow interpolated ground contours from USGS mapping.
- 3.5 preliminary plan.
- 8.6.2.A street widening along Manchester Street, Park Street, and Zions View Road.
- 8.7 curbs and sidewalks along Manchester Street, Park Street, and Zions View Road.
- 9.9 monuments and markers at designated locations where would interfere with farming activities.
- 8.9.1.B recreation fees.

The waivers on cover sheet have date of action as the 4/27/10 Planning Commission. Action taken by the Board of Supervisors on 5/11/10 will be the date to be notated.

A motion by Barry E. Rudisill to approve plan and grant all the requested waivers with date change was seconded by David L. Naylor. After discussion on the waiver requests and comment that any land development would give opportunity for street widening, curbs and sidewalks, and concrete monuments, the motion was carried unanimously.

Steven H. Gross, Jr. returned to chair.

Special Request

Brad Tracy of Cumberland Systems was present to update some information on the wash pad at Royal Manchester maintenance building for PPL. He needs to add a 3 ½' x 17' concrete area to the proposed pad to turn the tanks for compliance to DEP & L&I codes for fuel tanks. This is a land use issue.

The installation of 2 winter drains for the wash equipment have raised a concern. To winterize the station, sumps shut down, cleaned out and plugged, valves closed, and capped. When not in use, the drains will only take rainwater from the pad. The filter sock will be installed below the drains, and #4 ballast at ends of drains is in place. He invites anyone who has concerns to contact him to look at. He is only the contractor and is installing the concrete pad and drainlines. The system is to be installed and maintained by another contractor.

Additional discussion was held and concerns and questions regarding rainwater, heavy downpours, recycling of the water, replacement of silt socks, maintenance to the system.

To the best of Brad's understanding the rainwater will be included with the processing of the wash water, the drains are there for winterization of the sumps only. There are over 700 of these systems in operation throughout the country. There is a side discharge of the processed water on the unit. The unit runs 24/7, holding 750 gallon and capable of processing 1200 gallon.

Barry E. Rudisill asked if Byron Trout is comfortable with the set up. Byron Trout commented that with operation 24/7 even rainwater will be recycled. He has one request – to be there or someone from Township when winterizing. David L. Naylor asked if generated back-up power will be used? Brad is not aware of. Byron Trout added that if power off for a period yes, could allow some unprocessed water from drains if it overflows, which is why asked for ballast and silt soak.

Bob Nace questioned length of pipes from pad. Brad answered to grade of bank, ending at ballast, not extended into woods. Byron Trout asked if it would be ok to take Bob along to site. Brad answered yes and will go along with them. Bob expressed concern that after a period of time there would be no maintenance which bothers him about pipe discharged eventually ending up in woods. He also asked about a roof to stop rainwater from directly infiltrating the system. Brad stated that PPL does not want a roof at this time.

Question was raised regarding pumping the water onto golf course when winterizing. Brad. Answer that is a PPL question. Not one he can answer. Byron Trout will talk to PPL about this.

David L. Naylor would like to have further clarification on winterization. Attorney Andrew Miller mentioned potential permitting for processed wastewater applied onto ground. Byron Trout will contact Andy Spear.

Solicitor's Report – Attorney Andrew Miller

- PEMA requiring more info to release emergency funds for snow. Terry R. Gingerich is designated agent, in his absence, need Dave Gentzler designated as agent. Resolution 2010-5 is prepared to do so. A motion by David L. Naylor to adopt resolution 2010-5 was seconded by Barry E. Rudisill and carried unanimously. Katrina Rife to sign certification. Dave Bloss asked if we are getting the amount we asked for. No, expect \$27,000.00 for the 48-hour window they are allowing. We asked for \$52,000.00.
- Code revisions nearly done, expect middle of May
- Request Executive session for Saybrook litigation
- Intermunicipal agreement – will let Jim Coble address

Engineer's Report – Byron Trout

- Northern Heights – have visited site few time and it has come a long way on the work completed. Only outstanding issues are hydro seeding (scheduled for next week-provided contract) and completion of topsoil, seeding and mulching on bank at Brendan Mews. The second swale been removed, erosion and sinkholes taken care of. If any swales do not hold, there is rip rap there.
John Hoffer commented that he has completed mostly everything asked, totally cleared up vacant lots.
They have closing scheduled for Friday on lot 57/95 Ryan Lane and are requesting c/o and for next Friday lot 6/150 Bryn Way

David L. Naylor asked if trees are growing where planted? strip along Long Road basin to Long need trees

HOA has gator bagged some trees and they are established. They have requested others not be replaced till lot build out for phase 3.

David L. Naylor asked HOA President if people are satisfied?

Jaime Bell, President of HOA commented that much work has done and it seems fine. To help with establishing and growing of grass, they will get neighbors soaker hoses and have their water bills turned in to the HOA. So far, they are glad to have John working on this.

The Board of Supervisors thanked John for what is being done.

Jaime agreed it is a big improvement.

Byron Trout mentioned the reinforcing mat grass is coming up nice, the berm up further was re-graded to concentrated water down hill, the berm was shaved off for sheet flow. YCCD is scheduled for 9:30am Wednesday.

Attorney Andrew Miller acknowledged the work is most of way there on the stormwater issues. He added that it would be good to have closure on Long Road issue since the HOP application has been submitted.

Byron Trout has looked at and it is in compliance with township request. They did call out CMP-metal pipes, suggest plastic pipe.

Byron Trout added that the estimate for the upcoming work does include fertilizer.

After discussion and consideration of comments and efforts shown, David L. Naylor motioned to release the occupancy certificates as requested based on UCC compliance. Steven H. Gross, Jr. seconded motion, which carried unanimously.

- Surety reduction for Leg Up Farm in the amount of \$108,830.43 as recommended was approved by motion from Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously
- YCPC block grant \$75,000.00 for drainage work in Saginaw

Correspondence - Northeastern Sr. Center thank you letter for donation

Manager's Report – Terry R. Gingerich, Manager as presented by Dave Gentzler

- Northeastern Sewer Authority – March 22, 2010 minutes. Jim Coble was present and gave an update. Stacey MacNeal attended a Manchester Borough meeting, which may result in some language revision and they are requesting additional financial information to the intermunicipal agreement. One of the principal concerns is if East Manchester Township users have contributed enough for improvements.
Steven H. Gross, Jr. asked # growth in last 15 years in Borough
Jim understand the collection lines in for Borough operational
Steven H. Gross, Jr. believes an environmental upgrade should be spread equally among all users. Jim commented that is the plan. Cost of 3.8 million is 2/3 covered by grants.
Jim is requesting any proposed changes be addressed before Manchester Borough finalizes a draft. He understands that Mt Wolf Borough will accept it if Manchester accepts it.
Steven H. Gross, Jr. asked about tap in fees in existing service areas. Jim explained that they need to justify fees and a study is near completion. They plan to set same tap in fee for all existing areas.
Barry E. Rudisill commented that more would be generated from Township for future buildout.
Steven H. Gross, Jr. noted minutes 2 months behind, just received March minutes, but not even a draft of April.
The budget is tight; they have held rates. Reserve will be used for upgrade. He again asked to please let know ASAP of or if any changes to agreement.
- Recreation – no report
- Zoning Officer – one application for May hearing
- Public Works Director – no questions
- Tax exoneration – 470 Mundis Race Rd in the amount of \$28.27 as granted by County of York per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously.

Supervisors' comments

Steven H. Gross, Jr.

- retention pond behind old Giant – needs attention, Byron Trout will check into this
- old building Timberlodge has had police problem and in need of mowing
- behind the new Giant – moving dirt construction equipment there

Byron Trout commented that there may be a pond modification, he will point Rob Fetter there. Highland's equipment is on the site.

- question on the steepness of the bank at Ollie's - Byron Trout will check

Barry E. Rudisill

- Brylea wearing course? Byron Trout explained that Township has \$10,000.00 cash posted for that and there has been no contact – est. cost of \$16,000.00
- Beshore School Road sidewalks? Byron Trout spoke with Greg Hill of Keystone who told him will have taken care of 2 weeks. Barry E. Rudisill's motion to pull bond was seconded by Steven H. Gross, Jr.

Attorney Andrew Miller explained that can be done as long as notice is provided. Byron Trout gave no official notice but can provide correspondence.

All agreed to give official notice in 15 days. Motion to pull bond carried unanimously.

- Brickyard guide rail? Dave Gentzler confirmed meeting with Scott Wagner and will pursue contact with RCA owner

David L. Naylor

- pre-construction meeting for Meeting House Road? Byron Trout commented they are to start work week of 19th and are stopping at end of property. Not work for traffic light for Dave Gentzler met with Kinsley on site to discuss costs on township end.
- Golf course cart paths paved without dogleg. Katrina Rife confirmed occupancy has not been given.
- clubhouse liquor license? not yet
- check right-of-way and cart paths
- traffic concerns with lane
- Leg Up sign location satisfactory? Katrina Rife yes and they did voluntarily move back a bit more
- NEYSA sign at soccer fields – any progress? Katrina Rife not contacted. Joel added that the Police Department's portable sign could be available

Motion to pay bills by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.

Public Comment -Dave Bloss asked about fencing along the pond at Beshore School Road for Greenfield development. The ordinance did not apply at that time. The pond cannot be dewatered per DEP as they consider it a wetland.

Joel Klinedinst noted the poor condition of the sidewalks at 410 and 406 Wago Road.

At 9:03pm, Steven H. Gross, Jr. motioned to recess to Executive session to discuss Saybrook litigation.

Regular meeting reconvened at 9:35pm.

The Northeastern Area EMS reports were reviewed.

Additional Correspondence

Land Preservation letter dated May 5th for the 122.5-acre George & 141.91-acre Snyder properties.

A Dauberton HOA thank you letter for the speed check machine used on Boxwood Road.

Motion to adjourn at 9:45pm from Steven H. Gross, Jr., seconded by David L. Naylor.

Respectfully submitted,

Dave Gentzler, Public Works Director
Katrina Rife, Recording Secretary