

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
JUNE 8, 2010**

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

At a regular meeting held at the township building, David L. Naylor filled the role of Chair and called the meeting to order at 7:00pm.

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

David L. Naylor disclosed that since the 5/11/10 meeting, the Board met in Executive session prior to this meeting for discussion on Rentzel Heights litigation and property acquisition.

The minutes of 5/11/10 were accepted per motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.

Public Comment

Todd Strickhouser of 305 Creek Bottom addressed the Board regarding the spillway from the retention pond for Rentzel Heights just above his property.

His lawyer told him the criteria for spillway has not been met and that an increase to runoff from a property is not acceptable onto another person's land.

He explained that DEP is aware of a former dump and he is concerned if it washes out, what will be done. He has asked the township to do something numerous times and is still asking what is going to be done to prevent wash out from the spillway. It could take out his private lane or sand mound - who pays?

Attorney Andrew Miller added that the stormwater management provides pre-development runoff be no more at post development.

Todd continued to explain that there is swale and drain that was put in by township, which alleviated water before.

There is currently no water that flows nor in last 50 years; it is not a stream or creek. The area is a wash and has a deep cut through there.

Todd asked, why do I have to keep coming here

David L. Naylor asked if Todd has a recommendation

Todd mentioned the farm access to property - run another pipe like was done 30 years ago. He had a verbal agreement with Chris Thompson (Tousa) for pipe but they are not longer around.

Attorney Andrew Miller mentioned the site meeting 2 years ago where the developer did do what could be done at that time.

After continued discussion it was agreed that David L. Naylor, Dave Gentzler, Byron Trout, and Terry R. Gingerich hold a site meeting with Todd and included Rob Fetter of YCCD.

Barry E. Rudisill added that the township is just as tired as Todd and would like to not have to be concerned over this.

Byron Trout mentioned that YCCD last met when remove baffle and he will call Rob.

David L. Naylor commented that it seems like this has come full circle.

Special Request

Northeastern Senior Center – Jane Deamer explained that there are 12,200 visits per year to the center and 10,500 meals delivered per year for 8 Townships & Boroughs.

They are looking for a new facility. County and state funding are heavily relied upon to cover costs. Budget cuts are hurting them.

They have initiated a community group for a Neighbors Helping Neighbors program.

If anyone has ideas, resources, or facilities, please contact Deb Davis at the Center.

Barry E. Rudisill commented that with the recreation board, we do provide for younger people, but not directly to the older residents.

Jane added that the community has to rely on other places just to hold events and the Mt. Wolf fire company has been very accommodating.

Rentzel Heights

Attorney Bob Katherman and Dan Hayes of Saybrook (SCC-Canyon) were present to discuss a proposed developer's agreement.

The public improvements to Meeting House Road are near completion. Paving is in process.

Bob believes the agreement is 98% worked out with one point of contention anticipated.

They are proposing a developer's agreement subject to review and approval with time constraints of the pending zoning hearing on 6/24. They hope to get authority to execute a copy 1 week from today which would require a special meeting.

To summarize the agreement, the developer will bond traffic light, intersection and public improvements, provide a letter bonding 4.7 million balance in exchange for occupancy for pool house and farmhouse demo permit and land use permits.

Bob explained they want to get this settled and keep the question to how small of a loss will they incur due to the recession.

A brief background was given. They have already been to the Zoning Hearing Board regarding the farmhouse, which subsequently went to court. It is now back to be before the Zoning Hearing Board again on June 24th. They had advertised the farmhouse to be moved.

Bob added that this developer is ready to do what asked to do.

David L. Naylor commented that he understands the demolition request due to cost to bring into code compliance.

Bob also included the attractive nuisance issue and problems with structure being broken into.

Bob - We thought there would be 237 homes, we have 3 and 2 are in foreclosure.

Further discussion was held on building something else in the farmhouse's place. Suggestion - something memorializing utilize some stones / keystone.

Dan replied that this property is not public meant as private. He has not been here before and now realized this is a big issue. He explained that Engle Homes' idea for age restrictive with a clubhouse for marketing was flawed. The cost of 1 ½ million to renovate is flawed and came from a now bankrupt company.

Additional cost of maintaining the community center effects the HOA dues. They want to keep that under \$100.00/mth. The property owners could not afford \$300.00/mth. They would like to make it a nice open space. The Zoning Hearing Board did state no permits for other structures.

Bob – It is essential to build trust and communication between the Township and the developer, who is on hold with no income and it is in our best interest to come to an agreement. They have heard request made here and do understand merit in Zoning Hearing Board decision that the house was part of center in that request.

Request for a special meeting and vote in a week or so.

David L. Naylor commented that it is safe to say a meeting and vote could be considered.

Barry E. Rudisill requested a completed developer's agreement to review

A tentative date for meeting is June 15th at 7:00 (to be confirmed).

Solicitor's Report – Attorney Andrew Miller

- Code revisions complete – to be adopted by Ordinance. Motion by Barry E. Rudisill, seconded by David L. Naylor and carried unanimously to advertise Ordinance 2010-3 for the July 13th meeting.
- Intermunicipal agreement – pending
- Saybrook – An appeal has been requested to the Zoning Hearing Board for June 24th regarding the farmhouse demolition permit and the poolhouse occupancy. Request authorization to appear on behalf of Township. Motion by David L. Naylor, seconded by Barry E. Rudisill to authorize Attorney Andrew Miller to appear if agreement as discussed in Executive Session and proposed previously is not worked out. Motion carried unanimously.
- Royal Manchester Golf liquor license is on roll now that they have conditional occupancy Katrina Rife added that occupancy without conditions is expected Thursday or Friday
- J.C. Bar/CVS deed of dedication – Barry E. Rudisill motioned for approval of deed and authorization of Chairman to sign deed at time of signing plan for recording. Motion seconded by David L. Naylor and carried unanimously.
- Property acquisition – Executive Session discussion. Offer AS IS for property at 5110 N Sherman St Ext indices of map MI parcel 47K. This will incur no debt. Price not yet for discussion, need appraisal fair market value equal or greater. Barry E. Rudisill motion to authorize Terry R. Gingerich to present owner with an offer ASAP. David L. Naylor seconded motion, which carried unanimously.

Engineer's Report – Byron Trout

- Northern Heights – John Hoffer was here. They have satisfied stormwater with a few minor issues that are being worked on with Rob Fetter. The manhole has been lowered Barry E. Rudisill asked about the Long Road HOP. Terry R. Gingerich answered that the application is being updated. 30" CMP will be modified to plastic pipe Byron Trout to follow up. A motion to authorize Terry R. Gingerich to sign application on behalf of Township was made by David L. Naylor, seconded by Barry E. Rudisill and carried unanimously.
- Giant earth moving is to redistribute the stockpile from Rob Fetter

- Royal Manchester Golf Course cart paths slight modified for safety, it is 12' wide for 2 carts to pass. He believes they have met intent.
.Wash pad is not for golf carts, it is for maintenance vehicles. There is no storage, just microbes in cabinet. Discussion on the winterization process. \$15,000.00 maintenance bond in place. David L. Naylor suggested Dave Gentzler inspect the process and follow up. Attorney Andrew Miller commented that the Zoning Officer has right to inspect or Byron Trout inspect for stormwater ordinance.
- Barry E. Rudisill asked about Scott Wagner and Brickyard. Dave Gentzler not met with him.
- Orchard Business Park embankment between GEA and Ollie's was all shot rock and it slid down. Kinsley has been granted permission to soften and flatten the slope.
- YCPC block grant \$75,000.00 for drainage work in Saginaw. Motion to approve per Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.
- Brylea wearing course - Terry R. Gingerich discussed with neighboring resident and will try to get Mr. Bryant's address. Attorney Andrew Miller can get address.
- Beshore School Road – have scheduled a meeting with Keystone
- Green Ridge feasibility study – Attorney Andrew Miller suggested to bill township for costs and pass onto Saybrook since they requested.

Correspondence - none

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

- Northeastern Sewer Authority – 4/26 and 5/24 draft minutes received. Jim Coble manhole/meter pit at Northern Heights. Will bill developer and will hold up permits if not paid. Purchase of N side Chestnut Street from New York Wire property.
- Recreation – no report
- Zoning Officer – CVS and the developer have applied for demo permits for 3 structures
- Public Works Director – Met Ed provides now, but start shopping. Attorney Andrew Miller and Terry R. Gingerich checking further into bulk purchasing.
David L. Naylor asked about weed-n-feed of soccer fields. NEYSA should do some.
- Tax Collector – request to appoint Debra Popp, Newberry Township Tax Collector as deputy to allow continued functionality of office in case of an inability to Kathy to perform her duties. Attorney Andrew Miller will have more details on this for July.
Continuing education reimbursement in the amount of \$80.00 was approved per motion from David L. Naylor seconded by Barry E. Rudisill and carried unanimously.
Tax exonerations – KDO Properties in the amount of \$88.08 and Kinsley Equities III LP in the amount of \$138.34 both as granted by County of York approved per motion from Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.
- Northeastern Area EMS report was delivered by Gary Cardasso prior to start of this meeting. The January truck location question is answered as Gary used the vehicle to get soda from Golden Brew for the EMS soda machine.

Supervisors' comments

Barry E. Rudisill

Nothing additional – have been addressed

David L. Naylor

No additional comments

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

Public Comment

Ann Marks commented that when she called the list of electric suppliers, none would accept or service them as a customer. The list came from Met Ed.

Bill Marks - recalls prior varied discussions from this attorney representing the Rentzel Heights development. He is curious as to why now and what is hurry?

It was noted that they can go to 6/24 Zoning Hearing Board and request a continuance.

Todd asked about the upcoming meeting at pond and requested some sort of resolution before the proposed agreement is finalized. Consider expediting this meeting.

Attorney Andrew Miller mentioned the bond for public improvements is in place and until problem happens township can't undo the stormwater management.

Discussion continued.

Attorney Andrew Miller explained there is not any documented damage from that pond. With YCCD approval, he is not sure there is a lot the township can do.

Motion to adjourn at 9.13 by Barry E. Rudisill.

Respectfully submitted,

Terry R. Gingerich
Secretary/Treasurer/Manager