

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
AUGUST 10, 2010**

Present: Chairman Steven H. Gross, Jr., Supervisor Barry E. Rudisill, Secretary/Treasurer/Manager Terry R. Gingerich, Attorney Andrew Miller, Engineer Byron Trout, 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 7/13/10 meeting, the Board met on July 28th at 9:00am for property acquisition.

The minutes of 7/13/10 were accepted per motion from Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously with the correction on page 7 to Byron Trout instead of Barry E. Rudisill contacting Mr. Bryant.

Public Comment

Brad Rentzel called attention to the June meeting of the Zoning Hearing Board where the Board was expecting to hold a hearing on the Rolling Meadows (Rentzel Heights) request for farmhouse demolition and poolhouse occupancy. He explained that the applicant did not appear nor communicate any other request.

The Board held Executive session and in a telephone conference with Board solicitor Peter Solymos, they learned that the applicant had intentions of requesting a continuance and the Township solicitor was in agreement.

He expressed that he was put out by the way things were handled. A number of things were in process and those who should have been informed got by passed.

It was mentioned that the applicant did fax a continuance request to the Township office at 14:58pm, after the office was closed and at approximately 7:12pm the zoning officer located it on the fax machine and delivered it to the Board during the telecon with Attorney Solymos.

The applicant did withdrawal prior to the July meeting.

Attorney Andrew Miller offered additional background with respect to what happened. The Township was not the applicant and with working on an agreement with the applicant on this development's issues. The applicant was refusing to formally request a continuance until last minute. The Township would become a party once or if the hearing commenced.

Discussion continued on prior testimony, effects of conditions, and obligations.

Attorney Andrew Miller confirmed that an agreement is in place for demolition, occupancy, surety, traffic signal, and few other items relevant to the development.

Steven H. Gross, Jr. commented that in reference to the agreement he feels the township did lose on the house issue, but prevailed on every other issue.

Joel questioned the demo of the former Timberlodge. The anticipated July 4th has passed and the building is not secure.

He also mentioned the dumping problems at Rentzel Heights. There is a lot of traffic in there. The closure of Wago Road is off the table according to Keith Gillespie.

Steven H. Gross, Jr. conveyed that the traffic study on Mundis Race for issues that Joel had brought to their attention is back and it suggests posting of a few more speed limit signs and painting a crosswalk for the trail on the road.

Scott Elfner of Eagle Fire Company reported that the new tanker arrived on the 10th and should be in service by end of the week.

Ryan Brenneman, Chief of Eagle Fire Company added that they had 16 calls last month and a very successful Bar-B-Que fundraiser.

Land development /Subdivision

PPL Brunner Island oil storage and new warehouse

DRAWING NUMBER: Doug Gamber of Raudenbush Engineering presented plan # D376446 dated 6/30/10 revision 2 dated 7/29/10 to provide for the development of two new buildings on the Brunner Island power generating facility site. One building is a 40' x 80' structure intended to be used for an oil storage building and the second building is a 75.5' x 100.5', 7,587.75 square foot building that is to be used for a warehouse.

Per the Planning Commission's July 27, 2010 meeting and action report, the following took place on the above referenced plan:

Recommend to Board of Supervisors for approval upon satisfaction of following OPEN items:

Per Gordon L. Brown & Associates letter of 7/9/10:

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

2. The date of approval of the Erosion and Sediment Control Plan by the York County Conservation District should be provided in the General Notes (s.6.1.1.C(1)i). A copy of the approved plan should be provided to the Township.

Per York County Planning Commission letter of 7/19/10:

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

1. D. Any required erosion and sediment control plan (s.6.1.1.C.1.i)

Recommendation to grant requested waivers as noted: NOTE on cover sheet as granted by Board of Supervisors with date

SALDO 3.5 preliminary plan

SWM 2006-1 groundwater recharge

After discussion and deliberation with consideration of prior comments and recommendations from township staff, Planning Commission, Township Engineer, York County Planning Commission, Sewer Authority, and public as well as applicant and/or applicant's representatives, a motion by Barry E. Rudisill to approve the plan contingent upon E&S approval and to grant the two requested waivers was seconded by Steven H. Gross, Jr. and carried unanimously.

Special Request

Eagle Fire Company #1 is requesting closure of Board Road from the Northeastern Middle School to Wago Road on 9/11/10 at 9:00am for their first annual Firefighter 5K. Ashley Brenneman explained that the fundraiser will benefit the fire company and 10% will be donated toward the National Fallen Fire Fighters fund. The 5K will be a phased closing that goes along with the participants and will reopen when the last person is through. Estimate of 1 ½ hours. Joel questioned if there would be a problem with golf course traffic. They are a sponsor and are making provisions.

Motion to grant permission for this event was made by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.

Solicitor's Report – Attorney Andrew Miller

- Code revision – 2 typos were discovered. Will need to resign the ordinance to make those corrections. No change to the ordinance.
- The Kohr property along Shady Lane does not have obligations on maintaining the bridge in any certain condition under the conservation easement. No recorded easement from Greenwood to Shady Lane was found.
- Gracey property settlement took place. A tax refund request was made to school district and the tax exemption was filed for county. Utilities and services are to be cut off.
- Act 46 extending approvals through 7/2/2013 was explained. It is recommended that fees be set for written verification per resolution. Tabled till next month.
- YCCD Memorandum Of Understanding – A memo explaining the current responsibilities under the 2003 MOU and the changes to the 2010 MOU was provided.
- Kinsley traffic control agreement is in process Orchard Business Park Espresso Way.

Engineer's Report – Byron Trout

- Surety reductions:
 - Orchard Business Park lot 10 land development in the amount of \$848,107.15 A revision for this plan is pending. No request was made from last month's denial.
 - 105 Willow Springs Lane reduced by \$100,043.19 per motion from Barry E. Rudisill, seconded by Steven H. Gross, Jr. and carried unanimously.
 - Terry R. Gingerich mentioned to expect a request from Northern Heights. Byron Trout understands John Hoffer has been taking care of any issues.
- A letter has been sent to Mr. Bryant. He was given 15 days to start work and to complete by 9/1/10.
- Traffic Light back-up – Fit-out for battery cost est. \$2,400.00 – 4,000.00 each and generator plug of est. \$500.00 each. 3 lights do not have back-up.
- Shady Lane – Manchester Township is willing to get involved for closure. They have provided some right-of-way as alternative routes. Agreed to continue looking into for restriction of truck traffic, not a full road closure.

Correspondence

Strinestown Community Fire Company thank you letter for the support toward the Northeastern July 4th celebration.

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

- Northeastern Sewer Authority –no report
- Recreation – no report
- Public Works Director – no report
- Zoning Officer – Stonerook property needs mowed. Is scheduled for 13th per Tom Stonerook. Noted pond inquiry for Leg Up Farm, proceed with basketball apparatus removal.
- Tax exoneration – for MANF, LLC in amount of \$72.14 for 2010 at LI 33C 4035 N. George St (former Timberlodge property) denied per motion by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.
- Tax Collector – reimbursement of \$60.00 for State Tax Collectors Membership fee 2010-2011 per motion by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.
- Saginaw block grant – preliminary plans next month, working with Sewer Authority’s as-builts for location.

Supervisors’ comments

Barry E. Rudisill –items have been discussed

Steven H. Gross, Jr.

- Note old Giant and strip mall is unattractive. The stormwater pond is a “forrest”.

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

Public Comment

Joel commented on the fatality at Gut Road. He would like to see the road closed – it serves no use other than what goes on. Township is spending resources on a road that is attracting problems. The fisherman that he has spoken to would still use if they could get to the point of the sewer discharge area. The road could be closed from there.

Motion to adjourn at 9:08pm by Steven H. Gross, Jr.

Respectfully submitted,

Terry R. Gingerich
Secretary/Treasurer/Manager