

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 9, 2010**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Secretary/Treasurer/Manager Terry R. Gingerich, Attorney Andrew Miller, Engineer Byron Trout, 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 7:03pm.

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

Steven H. Gross, Jr. disclosed that since the 10/12/10 meeting, the Board met on 10/27/10 for budget workshop that resulted in no tax increase. It is on display and planned for adoption at the December meeting.

The minutes of 10/12/10 were accepted per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously.

Public Comment

Gut Road

Both Steven H. Gross, Jr. and Attorney Andrew Miller explained that no official decision is pending and if an ordinance to close would be considered, a public hearing is necessary, which would be advertised.

The following comments were voiced:

Dale Johnson - stay open, it is only access to islands at certain times

Ken Anderson - reiterate open for sportsman use

Composting problem - Glenn and Sandra Rumsey provided a letter regarding health and safety issues on their property at Jerusalem School Road with the neighbors chicken coop and chickens and the composting of the waste beside their home. The letter was read by Sandra explaining their concern for their water supply and quality of life as a result of this issue and asked if there is anything the Board can do. The chickens run free, the coop is located on neighboring property of over 5 acres, one lot away from the Rumsey's home, but the compost pile is located on adjacent property next to their property line.

Steven H. Gross, Jr. answered that this will be given further consideration.

There were no other parties in attendance.

Oak Drive

Stacey Springer resident of Apple Tree Lane was present with others to voice their request on the opening of Oak Drive section to 2-way traffic. At an earlier meeting, she was told a new traffic study would be done.

Steven H. Gross, Jr. stated that the following month after that meeting, residents from Oak were in and voiced their desire for 1-way.

Stacey explained that is not a time issue but safety issue prompting the 2-way request. Oak is 19' wide and Apple Tree Lane 26' wide with parking on both sides making it difficult for a vehicle to get through. You must drive one at a time, cannot pass. There are 82 children on Apple Tree

Lane, 40 of which are under 10. Oak has 11 of which 5 are under 10. There have been no accidents coming out of Oak.

Steven H. Gross, Jr. commented that Stacey is correct and that was what took place, but remember there are 2 groups on this issue.

Barry E. Rudisill added that he recalled the Board came to the realization you can't make everybody happy and it is not based on merit.

David L. Naylor asked about a previous traffic study, he would like to see professional opinion Dave Gentzler - will take care of finding

George List of 540 Apple Tree Lane on the speeding – he has bought signs which disappeared, asked about speed bumps and welcomes Board to come to his property to see traffic

Joel Patterson 570 Apple Tree Lane – agreed and also gave an open invitation. He believes it is a “not if but when” accident situation. The section is 200' of one-way till the 2-way existing street.

Lonnie Keeney of 800 Apple Tree Lane has 2 teen drivers, soon 3 and he tells them to go slow watch children, but is still concerned for all their safety.

Sharon Altland of 780 Apple Tree Lane lives across from Oak. It doesn't make sense, if you are able to safely drive in from Oak, you should be able to safely drive out.

Joel Klinedinst stated that Oak, Acorn and Brook are all 2-way, he recalls that the Oak extended section was never built with intention to use, it was for bringing emergency equipment in as needed.

Joel Patterson added that there is no limitation on turning from Oak now. Should be no great influx from development traffic.

Agreed that Board should see traffic study.

Jeff Bloss asked about the parking. Terry R. Gingerich commented that it was posted no parking in beginning. It was posted for emergency need due to streets not wide enough to allow access for emergency vehicles when parked on both sides. Based on that traffic study, York County would not approve and it changed to allow parking.

Special Request

5280 N. George Street well isolation – Chad Smeltzer, property owner is requesting an exemption of isolation distance from his well to a proposed septic system. The proposed distance is 85' instead of the required 100'.

Dave Brown is OK with this per Chad. The dwelling is pre-existing.

Motion to grant the exemption by David L. Naylor, seconded by Barry E. Rudisill and carried unanimously.

Solicitor's Report – Attorney Andrew Miller

- Traffic monitoring agreement – Attorney Andrew Miller explained the updates to the agreement. There are no major changes. The term clause is updated, still thru 2025 at 5-year intervals to be revisited at end, but add until such time the tract is developed for nonagricultural use. Kinsley desires a cut off point once everything is developed.

David L. Naylor commented he is fine with that provision.

Barry E. Rudisill believed that was the intent anyway just need to tweak wording.

Attorney Andrew Miller added that the other requested changes were accepted and were incorporated into the agreement.

KDO Properties owners of lots 10 & 11 is a separate entity and the agreement is with Kinsley Equities 2 & 3 which ties the agreement to a parcel of land rather than an entity and will be recorded with respect to the 98-acre parcel.

Steven H. Gross, Jr. motioned to enter as amended, seconded by David L. Naylor and carried unanimously

- YCCD MOU – A meeting including Rob Fetter, Byron Trout, Terry R. Gingerich, and Dave Gentzler was held on 11/8. Working to make changes and update stormwater and SALDO to conform with in house E&S review. As of 1/1/11, YCCD attains level 3 authorization to enforce E&S violations. After this meeting, Terry R. Gingerich does not feel any more work is being pushed onto Township. Byron Trout mentioned that an invite to Rob for staff meetings was given.
- Rentzel Heights Development Agreement – A traffic signal agreement from Saybrook was received; moving along to update surety; need an assurance letter to honor surety for Saybrook. Request to continue discussion in executive session.
- 5115 N. Sherman St sewer easement – discovered no lateral. He understands NEYCSA will install lateral across N Sherman. Jim Coble verified this and it will need PennDOT approval. Jim stated that the as-builts indicate a lateral, but after using camera it shows that it was never built.
Dave Gentzler commented that there is no need for township to be involved with Sewer Authority install of lateral.
- Intermunicipal Agreement – understand they are trying to pull figures together and to get Manchester Borough on board
- 5110 N. Sherman house removal – suggest a simple Bill of Sale and agreement to indemnify Township on removal. Contractor was here and did not make time to sign the agreement. Suggest 90 days from this date to complete removal.

Engineer's Report – Byron Trout

- Surety reductions:
 - Starbucks revised parking in the amount of \$72,294.48 per motion by David L. Naylor, seconded by Barry E. Rudisill and carried unanimously
 - Brylea wearing course is complete. Would like to roll over the \$10,000.00 held for surety into a maintenance bond. Ok to do per Attorney Andrew Miller. Motion by Steven H. Gross, Jr., seconded by Barry E. Rudisill to accept and carried unanimously.
 - Northern Heights phase 2 & 3 in the amount of \$92,625.39 per motion by Barry E. Rudisill, seconded by Steven H. Gross, Jr. VOTE 2 yes 1 no from David L. Naylor. Motion carried.
 - Green Ridge / Fox Clearing, LLC in the amount of \$20,462.48 per motion by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously
 - Leg Up Farm in the amount of \$96,202.72 per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously
 - East Manchester Village Center in the amount of \$936,464.11 per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously. Note: Rob Fetter sent letter to get property stabilized.

- Chestnut Valley phase 4 in the amount of \$40,640.90 and
 - Chestnut Valley phase 3B in the amount of \$10,780.07 per motion by Steven H. Gross, Jr. for both phases, seconded by Barry E. Rudisill and carried unanimously
 - Willow Springs Lane/Poole in the amount of \$144,119.04 per motion from David L. Naylor, seconded by Barry E. Rudisill and carried unanimously
 - Penn Waste/Barnhart Drive in the amount of \$9,861.39 per motion by Barry E. Rudisill, seconded by David L. Naylor and carried unanimously.
- Long Road - conditions statement to be signed. Will cost \$22.50 to record. Steven H. Gross, Jr. motioned to approve the removing of \$9,500.00 surety, seconded by David L. Naylor and carried unanimously.
 - Old Giant stormwater pond – Byron Trout to follow up
 - Terry R. Gingerich to send letter to Mar-Ben regarding their line of credit, which is set to expire. They have till January 10th and will be getting new bond. Attorney Andrew Miller will calendar for December. Note: line of credit also with Penn DOT
After discussion, Barry E. Rudisill motioned to pull if no commitment to renew by December 15th. David L. Naylor seconded the motion, which carried unanimously.

Correspondence

Thank You letter received from Northeastern Senior Center for the donation.

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

- Northeastern Sewer Authority – October 25th draft minutes no questions
- Recreation – no report
- Zoning Officer – Steven H. Gross, Jr. asked about October's zoning hearing result – granted variance. No applications for November
- Public Works Director – Barry E. Rudisill asked about the stolen inlets cost for insurance. Terry R. Gingerich needs numbers from Dave Gentzler. David L. Naylor asked about leaf collection – it is going well and a safety meeting was just held

Supervisors' comments

Barry E. Rudisill - York Mold property mess, has weed violation, send owner of record notice
- 891 Market Street junk and trash was discussed. They have been notified a few times prior and nothing has been improved per Katrina Rife. A motion by Barry E. Rudisill, seconded by David L. Naylor to approve enforcement was carried unanimously.

David L. Naylor – Rentzel Heights pavilion. Dave Gentzler turned over to Byron Trout who is getting prices consistent with Dauberton.

Steven H. Gross, Jr. – reminder for traffic study for Apple Tree Lane / Oak Drive

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

Public Comment

Bob Nace mentioned the lack of sight at the Meeting House/Auction Dr. intersection. Byron Trout commented that it does meet PennDOT sight distance requirements. Bob explained that you do lose the view of cars on Meeting House when they enter the area that has the dip in road. Dave Gentzler stated that the dip is existing, to which Bob replied yes, but we didn't have Auction Drive. Discussion continued. Byron Trout mentioned that measurement is taken at 44" height. Speed limit is 25mph with 140' visual.

Board Road issue – binder feels different when driving on it. There are weeds growing at curbside and water is infiltrating at those points. There is much truck traffic. Bob would not be surprised if it fails. Terry R. Gingerich stated that it already is failing. Barry E. Rudisill assured the Board that the developer is responsible for base till it gets approval for finishing and if it is failing it will not get approved. It can be dug out and redone.

Joel asked about PPL truck traffic to bypass. Discussion continued.

Dave Bloss inquired of the budget. Steven H. Gross, Jr. answered that there is not tax increase to the 2.9 million and 2011 numbers are similar to 2009 and 2010.

Dave also asked about the GSK-York Label water problem. Byron Trout is working to get Kinsley to sign off on an easement; there is a \$1,100.00 engineering cost dispute between the parties holding up the easement and work.

Bill Marks voiced an idea for Apple Tree Lane - STOP signs put on Apple Tree Lane at Beechwood and at Hackberry or speed bumps. He also noted state route 24 just before bridge over Codorus is sinking and needs road repair. Suggestion to contact PennDOT 848-6230 or 1-800-FIXROAD, or Keith Gillespie.

Terry R. Gingerich, Dave Gentzler, and 2 of the road crew are certified and can do traffic study.

Mark gave a report on Eagle Fire Co call of 20 for October and 182 for year. November has been busy. A \$5,000.00 grant from Georgia Pacific was received.

At 9:13pm, Steven H. Gross, Jr. motioned to recess to Executive session for personnel.

Meeting reconvened at 9:44pm.

No action was taken

Motion to adjourn by David L. Naylor at 9:45pm.

Respectfully submitted,

Terry R. Gingerich
Secretary/Treasurer/Manager