

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 2, 2009**

Present: Chairman Steven H. Gross, Jr., Vice-Chair David L. Naylor, Supervisor Barry E. Rudisill, Township Secretary/Treasurer/Manager Terry R. Gingerich, Attorney Andrew Miller, and Zoning & Codes Enforcement Officer Katrina Rife

At a special meeting duly advertised and held at the township building, Steven H. Gross, Jr. called the meeting to order at 12:17pm.

Public Comments - none

A motion by David L. Naylor, seconded by Barry E. Rudisill to recess to Executive session was carried unanimously.

Meeting reconvened at 1:36pm.

Steven H. Gross, Jr. disclosed that the executive session was held regarding the land use appeal filed by J.C. Bar Properties over the CVS plan and various litigation matters brought by SCC-Canyon II, LLC that are now pending. No decisions were made and no official action was taken in executive session.

David L. Naylor motioned to send a notice to Attorney MacNeal pursuant to PARCP 10.23.1 to demand that the violation of the Sunshine Act complaint filed by her on behalf of SCC-Canyon II, LLC be withdrawn because it is factually unwarranted. Motion seconded by Steven H. Gross, Jr. and carried unanimously.

David L. Naylor motioned to authorize the solicitor to file a declaratory judgment action against SCC-Canyon, S&A, and any and all applicants listed on any building permits filed for the Rentzel Heights (Rolling Meadows) development seeking a determination of the Township's continued right to withhold permits for the project. Steven H. Gross, Jr. seconded motion, which carried unanimously.

Steven H. Gross, Jr. restated and motioned to continue the policy of not issuing permits for the Rentzel Heights development. He noted the 11/14/06 meeting where Ron Perry and Dennis Gilligan promised that improvements would be done in timely manner and three years have passed since that time. Barry E. Rudisill seconded motion to not issue permits and continue policy. Motion carried unanimously.

Terry R. Gingerich commented on the line painting by PSX. A letter will be prepared regarding the reflectivity at which tested 20%. This is inadequate. He noted that Newberry Township is dissatisfied and not participating in intermunicipal program for line painting. East Manchester Township must build a case to be removed from this bid. Note \$3,000.00 outstanding invoice.

A PennDOT comment was relayed that last year's reflectivity was better than this year.

Barry E. Rudisill commented on Beshore School Road sidewalks from Green Ridge to Greenwood - nothing done. Byron Trout is working on and has bonding. Still need approval to clean pipe.

Attorney Andrew Miller has a letter from Northeastern York County Sewer Authority on a proposed amendment to the Intermunicipal Agreement.

Steven H. Gross, Jr. motioned to adjourn at 1:43pm.

Respectfully submitted,

Terry R. Gingerich, Township Manager/Secretary/Treasurer