

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS
JANUARY 13, 2009**

Present: Chairman Steven H. Gross, Jr., Vice-Chair David L. Naylor, Supervisor Barry E. Rudisill, Township Secretary/Treasurer/Manager Terry R. Gingerich, Engineer Byron Trout, Attorney Andrew Miller, 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 7:01pm.

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

Steven H. Gross, Jr. disclosed that since the reorganization meeting, the Supervisors have not met or conducted business.

The minutes of 12/9/08 were accepted per motion from Barry E. Rudisill seconded by David L. Naylor and carried unanimously.

The minutes of 1/5/09 were amended by adding the phrase "such as obtaining copies of cancelled checks" after "...difficulties experienced in 2008" on page 2 in Depositories for Township funds, per motion by Steven H. Gross, Jr., seconded by Barry E. Rudisill and carried unanimously.

Public Comment

Resident Joel Klinedinst 80 Fourth Street commended the Supervisors, Road Crew, Terry R. Gingerich, and Dave Gentzler on their diligence and attention to the township roads and efforts and on rattling PennDOT's chain. The roads were superb after the storms and conditions were good. Must have gotten someone's attention at PennDOT. Long Road construction for the pipe is underway. Thank you for the diligent efforts.

David L. Naylor agreed and suggested to have Township Manager call and thank those responsible. i.e. Keith Gillespie and Steve at PennDOT

Joe Stevens, Chief of Union Fire Company gave a year-end highlight of their report. 483 calls resulting in \$271,954.00 loss. Man hours for trainings and fire prevention efforts – 8455. Of the calls, 61% were in 6am-6pm and 38% 6pm-6am time slot. They were unprepared for increased cost of fuel and also saw a \$13,000.00 loss in investment fund.

Fundraising events seeing a decline, down \$9,000.00 from last

Direct mail \$12,545.00 down \$2,000.00 from 2007 and down \$4,000.00 from 2006

1783 training hours logged

Have a new used apparatus in service for \$400,000.00-500,000.00 - replaced aging 1992 engine Used was low mileage and hours, saved \$200,000.00

159 in first due area in township 32 for assist in township with Mt. Wolf's first due area.

Steven H. Gross, Jr. asked if there was a breakdown as to when responded in other areas?

Joe - Yes

Barry E. Rudisill asked what happen to the old truck?

Joe - sold for \$60,000.00 to a company in Millburn KY, a poor rural company who was using a 1965 truck. They also cleaned out and donated older unused equipment to them.

David L. Naylor asked about the 2008 grants Federal Fire Act and the State grant Joe \$35,000.00-\$38,000.00 for Federal State eligible up to \$15,000.00 for cost of turnout gear about \$3,000.00 each and should be new every 4 years. They had to buy new vests to meet code on reflective gear.

Joe added that with holidays and Chief Brenneman's work scheduled it has been a bit difficult to meet with 2 departments. Plan to have joint meeting by end of been meeting monthly on 2nd Sunday at 2:00pm. They are working on joint quarterly training.

Barry E. Rudisill – Do you expect the meetings you have with the two companies will eventually generate a plan for our township that will provide for our taxpayers and citizens.

Joe – At this point I'm just looking forward to just getting a more cooperative effort between both organizations, a better understanding of how each organization works. Are volunteers and have different ways. Sometimes minor little things can become hang-ups. The better we understand that, we get to a point to where we will be able to present that plan.

Barry E. Rudisill –I think that is the Supervisors ultimate goal, that we see a plan that provides emergency services to the township and the other 2 municipalities that everyone feels comfortable with.

Joe – At this point, I think we are at a crawl, but moving forward.

David L. Naylor commented on the Wilderness Search and Rescue training. He saw personnel from all 3 entities attending.

Steven H. Gross, Jr. – this past year we had a meeting where all 3 organizations admitted there was animosity between the 3 organizations, and that' is what we really want to see come to end, and the ultimate goal like what Barry eluded to – a plan. We don't need to rehash history. I am going to ask since Mt. Wolf is here, would you agree with Joe Stevens comments that there is a better working environment between the 2 organizations now?

Mt. Wolf Captain Tim Kever commented he is formerly of Dover Township and is now with Eagle. He explained a desire for a plan to allow fire fighters to know each other's equipment and location of tools when responding to allow all to keep providing the manpower needed instead of stopping to assist another to look for an item or tool. Chief Brenneman is working till 8:00pm tonight.

Dave Bloss agreed, he also commented that the rumors are pretty much squashed. The chiefs are taking care of it right away. Maybe one incident in last 6 months – was taken care of.

Steven H. Gross, Jr. - sounds like progress to me from where we were a year ago.

David L. Naylor – Well it is still not to a point where the Supervisors want to see a consolidated effort, but we'll get there.

Steven H. Gross, Jr. – agree with Joe, have to crawl before you walk

David L. Naylor has called Rob Brady of DCED to get meeting, not returned call yet. Desire to get meeting in 1st or 2nd qtr of 2009. Pushing to get someone in here to come up with a plan.

Steven H. Gross, Jr. commented that David L. Naylor has been appointed to be the liaison between the 3 organizations and the township, so all direction should go to Dave. He is planning to attend training in March in Enola to facilitate working with fire companies.

Dave Bloss added that he delivered a copy of Mt. Wolf's financial report and budget to Terry R. Gingerich today. He usually gives to Mayor Kinder.

Subdivision/Land Development

Glatfelter 2-lot final subdivision of 696 Codorus Furnace Rd

Patti Fisher of James Holley and Associates presented revision 3 of plan #08081 dated 1/9/09. The Planning Commission action report of 11/26/08 was reviewed.

Byron Trout reported that based on Planning Commission action report, the only item remaining open is the recreation fee of \$1,200.00.

Requested waivers:

- SALDO 3.5 – preliminary plan for less than 4 lots
- SALDO 5.1.B.f – contours of 2-ft or 5-ft intervals modified to 20-ft intervals
- SALDO 8.6.2.A – street widening
- SALDO 8.7.1.A – curbs
- SALDO 8.7.1.B – sidewalks

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 on paying of recreation fees and to grant the requested waivers as follows:

- The requirement to submit a preliminary plan is waived per SALDO s. 3.5.
- The requirement to widen the abutting street is waived per SALDO 8.6.2.A with the following modification: Additional right-of-way for future widening of the street is being dedicated to the Township as shown on the Plan and per note 7 of the Plan the abutting street shall be widened by the owner of the property within six-months of receiving notice to do the same.
- The waiver of curb and sidewalk requirements under SALDO s. 8.7 and EMT Code s. 85-16(A) is granted with the following modification: The developer as indicated in note 7 of the Plan includes that curbs and sidewalks shall be installed by the owner of the property within six-months of receiving notice from the Township in accordance with EMT Code s. 85-16(B).
- The requirement to show contours at 2-ft or 5-ft intervals is waived per SALDO 5.1.B.f with the modification that the contours will be shown at 20-ft intervals.

was seconded by Steven H. Gross, Jr. and carried unanimously

Special Request - none

Solicitor's Report – Attorney Andrew Miller

- § SADG-II development agreement for East Manchester Village Centre land development plan is signed and ok
- § Peters property/SADG II to be discussed at Executive session

Engineer's Report – Byron Trout

- § Surety reductions:
Willow Springs \$1,304,637.71 reduction leaving \$258,897.23 remaining, have additional surety for Penn DOT improvements includes holding amount for stormwater issue to be reviewed this summer as a result of construction and site work to repair
An as built of basin to be completed by First Capital, about 70 trees needed along berm.
The stormwater issue with adjoining Kinsley property is being worked on.
A motion to reduce amount by David L. Naylor as per Byron Trout's letter was seconded by Barry E. Rudisill and carried unanimously.
- § Codorus Stone – no reduction
- § Leg Up Farm - letter of credit posted \$681,018.73, need this amount verified, will work with Terry R. Gingerich to complete
- § Musser Manor turnaround sketch – on the N side extended curb and sidewalk, added a 34' wide by 34' deep turnaround area
There will be a chance to review again with land development plan.
David L. Naylor asked if Chief Stevens reviewed the turnaround for fire equipment.
A discussion between Terry R. Gingerich, Attorney Andrew Miller, and Byron Trout on who will have the responsibility of the extension the curb and removal of temporary turnaround area for future development. Typically, a developer coming in incurs this work under public improvements. This should be mentioned to the Musser developer that they are responsible till then.

Barry E. Rudisill – This turnaround as we see here won't pose a problem for township snow removal because we won't be adopting as it is, so we won't be plowing that.

Terry R. Gingerich – At the last meeting there was a mention about adopting that as a township road.

Barry E. Rudisill – not with that type of turnaround

Terry R. Gingerich – the only thing you will be able to collect liquid fuels on is the section from Board Road to the first intersection. From that intersection back to the hammerhead, you will not be able to get liquid fuels.

David L. Naylor – and that is what we discussed

Steven H. Gross, Jr. – it was only 150'

Terry R. Gingerich – and that is one of the reasons why Byron was asking me if we want them to extend the curb to the property line and that's one of the reason why I told Byron to stop the curb because it will make it difficult for snow removal

Barry E. Rudisill – this isn't a traditional hammerhead turnaround anyhow, so it isn't something that I think that we would be willing to adopt that street as it appears here. We talked about a hammerhead turnaround at the last meeting, we were talking about a traditional hammerhead turnaround this is nothing more that a widened cut-off street here in my opinion. It certainly suffices for fire apparatus, which is certainly important, but I don't see us adopting this as it appears here.

Joel mentioned the enforcement of no parking if not adopting street.

Steven H. Gross, Jr. – Barry makes a good point when he says this isn't a true hammerhead and that's what was suggested at the December meeting, so this goes back to the same thing I told them a couple months ago – they are just trying to maximize the number of lots without any care of the development of the township- it's what they are trying to do it's been the ultimate goal of the project from the word go. If you don't think it is a satisfactory hammerhead, then tell them we are not going to accept it.

David L. Naylor – I don't think it is acceptable at all, it is not we we've seen at the last meeting.

Steven H. Gross, Jr. – there's your answer, Barry says it is not a true hammer and I agree.

Bob reported at last Planning Commission meeting, a hammerhead was discussed similar to what is at the end of Steffie Drive but that is not what we are seeing. Hopefully add another leg, not infringing upon the Musser property.

Steven H. Gross, Jr. – they want to max out the lot numbers, what they are working on, the history with these guys, we try to work with them and tell them something and they keep coming in saying this is what we want to do – they don't listen to what the township suggests

Bob expressed that is a concern and has been to Planning Commission numerous times over the past years, if presented to Planning Commission like shown it would probably not be accepted. Could go back to staff and make them understand.

Steven H. Gross, Jr. – I do think, in all fairness, the staff does try to convey the township's wishes. I do think these guys do what their client tells them to do. They keep pushing the issue, that's my opinion.

Byron Trout suggest traditional tear-drop similar to Steamboat – like half a cul-de-sac

Terry R. Gingerich asked if the Board would be in favor of a design something like Steamboat or Espresso

Byron Trout believes PennDOT would accept that design and Terry R. Gingerich will ask PennDOT

- § DEP letter regarding MS4 - working on application, permit extended 1 year but still need to do annual report
- § Inspections continuing on township projects
- § David L. Naylor asked about Garrod project – It is finalized final bill exceeded posted surety. Need letter from PennDOT to have bond released.
- § Barry E. Rudisill asked of Long Road HOP - township does have it per Terry R. Gingerich
- § Barry E. Rudisill asked of Brylea wearing course - have bond in place, start 4/15 with contacting Mr. Bryant to get completed.
- § David L. Naylor would like to see wearing course on Board Road thru Chestnut Valley
Terry R. Gingerich talked to Bill Bashore, will again bring to his attention to be done in 2009. Residents have been patient - the inconvenience going into their driveways overshadows the gas cuts at this time.
Joel suggested blacktop to Payne Drive
Terry R. Gingerich shared Bill's biggest problem is bringing in equipment for little bit

Correspondence

- § Sr. Center sent a thank you for the donation.
- § Northeastern Sr. High post-prom party request for donation. Attendance last year was 80

Manager's Report – Terry R. Gingerich

- § Northeastern York County Sewer Authority - no questions. A letter requesting fee waiver on permit or relief of full amount for upcoming plant upgrade was reviewed. Barry E. Rudisill suggested on waiting till amounts are determined. Steven H. Gross, Jr. agreed and commented to work with them on this. Make note for future and re-evaluate.
- § Recreation Board – have a wish list, signs to be taken care of, Terry R. Gingerich believes the list will be covered this year. Rob Foltz of PPL responded to the request to plant trees, DEP will not allow, suggested a 4' chain fence as an option along roadway. A helicopter will be using the soccer field area at end of January to assist in the placement of structures for the construction project, any damage will be repaired. David L. Naylor motioned to appoint Sherry Dunbar to recreation board. Barry E. Rudisill seconded motion, which carried unanimously. Also include use of Township website for communicating volunteer opportunities.
- § Zoning Officer – A motion by Barry E. Rudisill, seconded by David L. Naylor to allow enforcement to proceed with “junk” properties at 5230 N. George St Ext., 705 Park St, and 55 Old School Lane through the District Magistrate was carried unanimously. Properties with sheds in front yards will be determined next month after the 30-day notice has expired.
Joel mentioned a mailbox monstrosity in the cul-de-sac of Northern Heights in the right-of-way. Zoning ordinance change now permits mailbox structures.

- § Public Works Director - road projects, any projected for 2009 start? Dave Gentzler has not completed this list yet.
Byron Trout will work with Dave Gentzler to come up with the projections. Barry E. Rudisill commented to encourage them to identify projects cost and start dates.
- § Junkyard license renewal – Bradley Klinefelter renewal approved per motion from Steven H. Gross, Jr., seconded by David L. Naylor and carried unanimously based on Katrina Rife's recommendation of current compliance.
- § Tax exonerations – per Kathy for per capita of those who have moved or deceased approved per motion from David L. Naylor of all inclusive as listed, seconded by Barry E. Rudisill and carried unanimously
- § Emergency services donations
2008 donations to Fire Companies - David L. Naylor rescinded a motion to release \$18,000.00 to each fire company, which was on report but previously paid. He then motioned to release fire protection funds of \$22,500.00 each to Eagle and Union, which closes out 2008 outstanding funds. Steven H. Gross, Jr. seconded favorable report but still concern need to show good faith and move ahead.

Discussion was held.

Barry E. Rudisill commented that if the motion stood as is he would vote no on it because he does not believe all monies should be released, but a good faith effort be shown release portion continue to hold some encourage to continue combined efforts and move ahead with emergency plan for township and boroughs.

Dave Bloss – you are holding 2009 money

Joel Klinedinst – you are holding them hostage, they come in here with good faith, they are working in a way, you have the 2009 money to hold over them. I think they are entitled to what they were promised in 2008. I think they have come forth and granted a lot of your expectations and done a lot of your recommendations, I don't think it's fair to hold them hostage with that money.

David L. Naylor – I believe and I respect Mr. Rudisill's opinion however, I disagree. I agree that it is 2008's money, we've been wrestling with this problem for most of 2008, and I can understand his point of view in that respect, but 2008 was promised. 2009 was promised with the caveat that you guys get together and coordinate your efforts, so 2009 is the money that I would not feel bad about holding back because you know what is going on. However, with that said, before we vote, I've got some more discussion to do and no, I won't bring this up I will bring this up with the fire departments personally – the grant money situation.

Steven H. Gross, Jr. – I agree with Barry, but I also think that we need to close out 2008, but in 2009, I am not joking, hold the money. I think they've done a lot in the last couple months we'll see what this year progresses, with that I will call for the question. Motion carried unanimously.

Supervisors' comments

Steven H. Gross, Jr. – thank for chair and vote of confidence

David L. Naylor

- permission to attend PSATS seminar in March not to exceed \$80.00 registration. Steven H. Gross, Jr. motioned to allow David L. Naylor to attend "How to Relate to Emergency Service in Your Community" seminar. Barry E. Rudisill seconded motion and it carried unanimously.
- Spring road trip – opinion, why go? We have Public Works Director, Engineer, and Manager looking at things. Terry R. Gingerich and Steven H. Gross, Jr. explained that it used to be required. Terry R. Gingerich suggested that once come up with road projects, then could look at specifically.
- prom committee son and daughter were in school seem like a worthwhile endeavor to keep kids off street. Not just school district doing this, parents are. Joel mentioned however many attend that is the number of ones they don't have to worry about that night. For next month's agenda.

Barry E. Rudisill

- Codorus Stone quarry – what is the purpose of the planting of evergreens along the eastern berm along Dellinger Road? Terry R. Gingerich answered that area meets 30' height requirement of DEP approval. That area is completed – Dave Gentzler measured and exceeds 30'

David L. Naylor asked Katrina Rife if she saw a copy of the letter from a concerned homeowner of Chestnut Valley. She indicated yes, and it is not being given priority since it was not signed by writer who is not sure where they live (addressed to Northeastern Township), and appears to be basically a complaint letter about township procedure. He also does not give much credence to anonymous letters. He also sees fences and sheds that appear to meet regulations; owner's taste cannot be regulated.

Katrina Rife stated that if a complaint is filed, it will be checked into.

Public Comments

Bob Nace asked if the property along N. George Street is one of the ones for enforcement. It is. Discussion on some properties and what can be done.

Joel was in the property at Park Street – he feels it is not fit to live in. He compared properties now to ones of 27 years ago when he started, there are still a few junky ones out there, but not that many.

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

Steven H. Gross, Jr. motion to adjourn to Executive session at 8:34pm, David L. Naylor seconded and motion carried unanimously.

Respectfully submitted,

Terry R. Gingerich
Township Manager/Secretary/Treasurer