EAST MANCHESTER TOWNSHIP
Board of Supervisors
October 9, 2012

Present: Chairman Steven H. Chairman Gross, Jr., Vice-Chairman David L. Supervisor Naylor, Supervisor Barry E. Supervisor Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Jon Beck, Recording Secretary, and six citizens.

At a regular meeting held at the Township building, Chairman Steven H. Chairman Gross, Jr. called the meeting to order at 7:00 p.m.

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

Chairman Gross disclosed that the Board has not met nor conducted any business since the last meeting on September 11, 2012.

Corrections to the minutes of September 11, 2012: Page 4, 2nd paragraph under "Supervisors Comments" – the sentence should read "Rob Brady was to be involved with providing a person to help with the interview process." AND Rob Brady is a "mediator with the state" (not the county)

Motion by Supervisor Rudisill, second by Supervisor Naylor, to approve the minutes of the meeting of September 11, 2012, as amended above. All members voted aye; motion carried.

Public Comments

Melissa Smith, Executive Director of the SPCA was present. She reminded the Board that the Township's contribution for 2012 is overdue; is Township going to contract with the SPCA or not? She noted that the fee is formulated on a per capita method based on current census date. This year so far, 67 strays have been turned in to the SPCA from East Manchester Township. The census indicated that in the Township there was 43% increase in population, hence the increase in the fee. The fee will remain at this amount until the next census. Chairman Gross feels that the Board members have a problem with the amount of the fee. His personal opinion is that the SPCA does "too much strong-arming in the community" which is why he's not in favor of the fee. It seems like a demand/tax to the Township residents that the Township has no control over. It's not that Chairman Gross doesn't see the value of the services that the SPCA provides to the Township; he does. He mentioned the Agency's practice of requiring that a person adopting an animal have the animal spayed or neutered by the SPCA before taking the animal. He also had an issue with SPCA's recent request that the Township adopt a tethering ordinance. He tends to think that the other Board members agree with him, as no one has made a Motion to make this contribution. Ms. Smith responded that they are mandated by the state to spay or neuter all animals before adopting them out. Chairman Gross feels that the SPCA is pushing an agenda of some sort. Ms. Smith requested that if the Township is not going to contribute, the Board members should let her know so that she can tell any EMT residents who try to drop off animals. Supervisor Rudisill: any alternatives? Unknown. The resident can pay when they drop off a stray animal. That, Ms.

Smith feels, puts a large burden on "good Samaritans" who bring in stray animals. Other shelters? Some limited shelters in the area. How about if the dogcatcher drops off a dog, then the owner picks up, does the Township recoup the fee? There's an agreement with the dogcatcher. How about a private citizen? The cost is paid to the SPCA when an animal is RTO (returned to owner). The SPCA gets the funds from the Township, AND the owner pays the SPCA for housing the animal when the owner picks up the animal ($15 per day). Is this double-dipping? Charging per capita, then RTO fee, too. The Board feels that the RTO fee should be returned to the Township. That can be negotiated, Ms. Smith said. Supervisor Rudisill – though he's unsure of the percentage of residents in the Township who own animals, the fee seems unfair to him. Plus then there's also the fee to the dogcatcher. Ms. Smith noted that the Township is not obligated to employ the dogcatcher; that's the Township's option. She reminded them that feral animals/rabies affects everyone, not just pet owners. Supervisor Rudisill feels that the Township should pay for strays returned, as a per-animal fee. Feels Township's responsibility should end there, and not on a per-capita basis.

If the Township doesn't pay to support the SPCA, where should the animals be taken? Majority are cats, and that's a big problem. State dog warden will not handle cats, only dogs.

Supervisor Naylor says that it seems like a tax to him. Can there be a charge per animal instead of a per-capita figure? He agrees with Supervisor Rudisill in that not everyone will have an animal nor require the services of the SPCA.

Negotiation is unlikely at this point, Ms. Smith said. The SPCA Board has set the fees. Chairman Gross has a problem with the SPCA Board not answering to anyone; its members are self-appointed and unregulated.

Supervisor Naylor requested that she take the Board's concerns back to her Board. She will do that and will report to Mr. Gentzler after that meeting. EMT is requesting a per-animal fee. That will be easier to explain to the residents rather than a per-capita "tax." So what about the 67 animals that the SPCA has dealt with from East Manchester Township? Just let the SPCA not get reimbursed for those? That's not fair to the SPCA, certainly. The Board requests that the SPCA keep accepting strays from East Manchester Township while negotiations are in progress.

Joe Stevens, Union Fire Company, gave the Fire Company report. They've had some good fund-raisers lately. October is Fire Prevention Month, and the fire departments are busy with student information sessions.

Special Request

None at this time.

Correspondence

The Township received a letter from the York County Solid Waste Authority indicating that the tip fee will remain at $59 per ton for 2013. That means that the Township's cost for trash collection should remain the same for the residents. That's good news.

Solicitor's report – Attorney Andrew Miller

- Employee Handbook and Collective Bargaining Agreement

Motion by Supervisor Naylor, second by Supervisor Rudisill, to *table* this item, pending receipt of the contract. All members voted aye; motion carried.

- Comcast Franchise Agreement – still in progress. Discussion of other Township facilities or entities (Sewer Authority, Police Department, Fire Department) having high-speed internet access.
- Signs for Private Drives – nothing addressed

- Amendment to Burn Ordinance

A Public Hearing was convened to discuss Ordinance 2012-2, the amendment to the Burn Ordinance. From the audience, Buford Chidester, of Saginaw, is in favor of the amendment. There was no voiced opposition. Hearing closed.

Motion by Supervisor Naylor, second by Supervisor Rudisill, to adopt Ordinance 2012-2, amending Section 67-6. Two members voted aye; *Chairman Gross opposed*. Motion carried.

- Subdivision Ordinance Amendments -- above
- LERTA Extension

  Motion by Supervisor Rudisill, second by Chairman Gross, to adopt Resolution 2012-11, extending LERTA through 10/31/13. All members voted aye; motion carried.

Engineer's report – Byron Trout

Inspections – Chestnut Valley paving started and is progressing.

Lot 1, Orchard Business Park, is under construction. On Bartlett Drive, the stormwater pond on left had some problems with the outlet structure two years ago. It's still tilted; Kinsley to correct the problem. Mr. Trout suggested that the pond remain a pond, as there's a fair amount of there's aquatic life in it. He suggested making it a permanent wet pond. The Board says go for it.

Greenridge – the developer is not in favor of putting the wearing course on yet. Mr. Trout wants contact information in case of complaints about snow removal, etc., so that the Township can refer the residents to someone. So far, no results have been forthcoming from the developer concerning contact information.

If the lots are conveyed, the developer should apply the wearing course so that the Township can adopt the roads. Put them on notice that they have until June 1, 2013, to have the wearing course applied. Mr. Miller can send a strongly worded letter to the developer to this effect; mobilize by May 1.

Mr. Trout sent a letter to Wellspan, requesting they finish improvements along Rosedale. He's concerned for the snowplows, with the high water valves, etc., on the street. No response yet. The entire surety bond is still being held. Mr. Gentzler reported that there is no developer's agreement for this project, for whatever reason. He and Mr. Trout will both check this to be sure.

Mr. Trout met with YCPC on the manholes, etc., at Saginaw. He's not recommending that the Township consider the request for extra funds ($9,147). The Township is still holding about $4,500.

Mr. Trout presented a Stormwater Management Design Assistance Manual. This is for the Zoning Officer to refer to so he can better serve residents' inquiries and building permit requests. This will cut down on Mr. Trout's services, saving the Township some money. The Board members will review and give input for next meeting.

Plan Reviews

Correspondence

PennDOT has requested a letter from Mr. Trout on the Canal Road radii of 75'. Mr. Trout sent a letter indicating that the Township wants to keep the radii at 75'. PennDOT feels that it can be reduced because, legally, Canal Road is not a truck route. That means that the Township cannot funnel its industrial trucks onto Canal Road. Mr. Gentzler feels that it's been two years and five to seven submissions to PennDOT to try to get this project completed. It's always something.

Secretary/Treasurer/Manager's report – Dave Gentzler
Sewer Authority – no comments
Recreation Board – no comments or questions
Public Works Director – no comments or questions
Zoning Officer – no questions or comments

Greenridge discussed above.

PennDOT/Park Street – Mr. Gentzler received an e-mail from PennDOT about Park Street. He met with Judy from Manchester Borough, and they agreed on an area of 750 feet of liquid fuels area to be returned to the Borough. It was noted that the Township still has a maintenance agreement for this area. Why would the Township agree to maintain a street for which it's not receiving liquid fuels funds? Mr. Gentzler gave the Board members and Mr. Miller copies of the agreement for review/discussion/comments. It was noted that there's no set term, but it says it can be terminated upon mutual consent. Mr. Miller asked what's the recourse if the Township stops maintaining Manchester's street. Just stop, and let Manchester Borough know.

Judy did say that they put a lot of money into Fenwick Drive; EMT put a lot of money into another street. The state is indicating where the line is. Mr. Gentzler will send a letter indicating that the Township will no longer maintain the road as the state says it's not in EMT and also because the Township is not getting liquid fuels funds from this portion of the road.

Emergency Management Coordinator Resignation; vacancy exists now.

Motion by Chairman Gross, second by Supervisor Rudisill, to accept the resignation of the Laura Simcoe, Emergency Management Coordinator. All members voted aye; motion carried. It was noted that the duties fall to the Deputy Coordinator.

Emergency Services Donations

Motion by Chairman Gross, second by Supervisor Naylor, to make the following donations: $35,000 to Mt. Wolf fire company; $35,000 to Manchester fire company, from the ?? fund; AND $13,000 to Mt. Wolf and $13,000 to Manchester from the ??? fund AND to hold the retention funds until it's known how they spent it last year. All members voted aye; motion carried.

Motion by Chairman Gross, second by Supervisor Naylor to disburse the Fire Insurance Fund Relief money as follows: divide it equally between two fire companies, each getting $26,446.35. All members voted aye; motion carried.

Did the Township already send a contribution to the senior center? Perhaps; they sent a thank-you letter. Perhaps that was for a partial payment. Mr. Gentzler will check.

Pending the results of Mr. Gentzler's research, Motion by Chairman Gross, second by Supervisor Rudisill, to send $2,500 to senior center. All members voted aye; motion carried.

Animal Control Officer—Mr. Ellis was present to discuss his contract. Supervisor Naylor asked a few questions. Owners will pay to have their animal returned to them; hourly and mileage fees are billed to the Township. Why wouldn't the owner pay the hourly and mileage fees? Supervisor Rudisill agrees that the owner should pay the fees. It's not right to use taxpayer funds for this. Can Mr. Ellis collect enough from the owner in order to not bill the Township? Should the Board wait until the SPCA responds to take action on this contract?

Motion by Supervisor Naylor, second by Chairman Gross, to enter into the contract

with Mr. Ellis, with an RTO fee of $50 and the provision that no cats will be collected. All members voted aye; motion carried.

FEMA/PEMA 2011 Storm Damage

Mr. Gentzler reported that all FEMA work has been completed, getting as close to the estimates as possible.

Land Development/Subdivision – none at this time.

Supervisor's C**omments**

Supervisor David L. Supervisor Naylor – requested a report on the last joint fire committee meeting. From the audience, Chief Stevens reported that about 50 members attended the presentation of the goals and objectives. There were questions and answers. The committee will meet again in October. They're ready to start working on specific areas – by-laws, budget, etc. The Command Structure will be discussed. Supervisor Naylor reported that the fire companies met at a neutral site with a presentation and questions/answers. It was a positive meeting overall. Mr. Stevens noted that the fire companies are already starting to work together.

Vice Chairman Barry E. Supervisor Rudisill – question on progress on document archiving – equipment installed last week; training session; it's getting started.

Chairman Steven H. Chairman Gross, Jr. – budget meeting? Set for the end of regular meeting on November 13.

Motion by Supervisor Naylor, second by Chairman Gross, to approve the tax exoneration request for Todd Strickhouser in the amount of $21.87. All members voted aye; motion carried.

Motion by Chairman Gross, second by Supervisor Rudisill, to pay the bills with the addition of the fire company funds, and the retainer fee for Mr. Ellis. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Chairman Gross, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:06 p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary