

EAST MANCHESTER TOWNSHIP
Board of Supervisors
November 12, 2019

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller, Dave Gentzler, Manager/Secretary/Treasurer, Engineer Byron Trout, Zoning Officer Kristie Masemer, Recording Secretary, and 26 citizens.

At a regular meeting held at the township building, Chairman Steven H. 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, since the meeting of October 8, 2019, the Board met on October 30, 2019, in a budget meeting. Two members of the public were present at that meeting, along with the Board members and staff. The result of that meeting is a proposed budget with no tax increase for 2020; interested parties may view the budget at the Township office during regular business hours. Also, on October 29, 2019, the Supervisors and staff met with York County Planning Commission, Springettsbury and Manchester Townships to discuss the Core5 development and traffic. Not surprisingly, Springettsbury Township doesn't want any increased traffic as a result of this development. On October 17, 2019, the Supervisors and Mr. Gentzler met with the police department representatives to discuss how things went with the road closures, etc. There were no minutes as a result of that meeting. Chairman Gross noted that for the October 29 meeting with YCPC, it is assumed that minutes were taken by YCPC.

On the Minutes from the meeting of October 8, 2019, there was one minor correction. On Page 5, there's a typographical error: the word "access" has an errant "o" on the end; delete that "o." Will do.

Motion by Chairman Gross, second by Supervisor Rudisill, to approve the minutes of the meeting of October 8, 2019, as amended above. All members voted aye; motion carried.

Public Comments

Dan Lightner was present to speak regarding 1120 Conewago Creek Road, particularly to the second driveway issue – was there a permit for that second driveway? Seems like this resident is acting inappropriately, particularly with regard to neighboring young ladies. There are cameras in use; uncertain why. Was there a permit for the garage? A permit for running the electricity to the shed? Was there an inspection? There are three drains that empty into the neighbor's property, which concerns Mr. Lightner. The fill ground that was brought in has large pieces of concrete, etc., in it. He also voiced concerns about the wells being affected. How about the stormwater requirements? Mr. Lightner feels that those requirements are not being met. Provided photographs of the site. There were major changes made to the topography, including the removal of the trees. The privacy fence that was erected is higher than 6'. The lighting needs to be adjusted, too.

Mrs. Masemer responded as follows: she did issue a permit for the building, and yes, the stormwater was inspected. The homeowners did get a permit from Commonwealth Code for the electricity; the driveway expansion was done under a permit, and the stormwater management was approved. The homeowner provided proof that the driveway was there since 1988, which pre-dates the township's ordinance. History of PennDOT's handling of the driveways was given. So, the driveways are legal. The fence is a problem, though, and she will address this.

Mr. Trout spoke to the tree removal and the runoff problem. Mrs. Masemer asked about the lighting; Mr. Trout agreed that the one light on the side needs to be lowered or something. He will follow up with a letter.

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How about the fill ground? There's metal, roofing, pipes etc., in it. Mr. Lightner would like to have an inspection done or something. Mr. Trout will take a look.

Mr. Lightner said that other people in the neighborhood would like to have a second driveway installed and have been turned down.

How about the drains? Mr. Trout has no idea; his inspection was outside only. He will inspect further. Mr. Lightner is concerned with the damage done by water runoff.

Dave Dennis spoke, saying that he spoke with the Township about the fill ground problem; Mrs. Masemer doesn't recall his saying that to her. Her recollection of the conversation differs from his. There was a discussion of his taking photos of the site.

Chairman Gross noted that the residents on both sides of this issue must work together and get along.

Mrs. Miller, the homeowner in question, said she's willing to work with the Township on whatever needs to be done to resolve the issues at hand. Lights? She has adjusted the light, but every time they try to make any adjustments, the neighbors send the dogs out into the yard. It's difficult to adjust without being near the property line, and the dogs are rather scary. She is fine with the Township entering the property to inspect, in answer to Mr. Gentzler's question, as long as someone is at home.

Mike Grotehouse, 1215 Canal Road Extended, asked if there's been any movement on the noise from the air handling units on the DHL building. Mr. Trout contacted a company to deal with it; still awaiting progress. Security cameras are now exposed by smaller trees (tall trees died; replaced with shorter ones). Mr. Grotehouse had his septic tank pumped today, and the new figures indicate runback and high-water levels in the septic tank. That's a change from three years ago. How about any of the neighbors? Have they had high-water levels? Unknown, but DEP requirements will take over. Still getting metal flakes in the well water. Chairman Gross reminded Mr. Grotehouse that he agreed to monitor the situation.

Public Sewer installation on Park St? Yes, there are preliminary meetings to address that. Joel Klinedinst spoke, noting that the Park Street project will end at Manchester Street unless further findings warrant extending the system. There's a lot in the works. Stay tuned.

Mike Knaub, Starview, provided a report for the pig roast for the fire companies. The Eagle Company invited Union Company to participate. The event raised quite a bit of money. Mr. Knaub presented a check for half of the proceeds to the Union Fire Company. Chief Joe Stevens accepted the check on behalf of Union Company. Mr. Knaub extended the invitation to Union to participate in the fundraiser next year.

Holly Kominsky asked if the Budget could be posted on the website. Any changes to the allocation for the Northeastern Police? The regular amount was budgeted.

Dave Bloss asked if Mr. Albright is still working on parking for the election. Mr. Albright was present to answer to the requests for the second polling place for the elections. He said that a study is being done on the polling places and the numbers of people at each location. There's a County Board of Elections meeting on Thursday to discuss the issues and possibilities. The Township received an apology letter from the Commissioners.

Emergency Services Report

Fire Chief's Report – nothing to add or discuss.

Northeastern Regional Police – Chairman Gross noted that all three supervisors are on the Police Board, and there are issues with the percentage of what the Township should pay. Chairman Gross researched numbers from the last 10 years. The average of the former annual increases was about \$29K; this recent proposed increase is at least three times more. Comments from the other Supervisors? Ms. Kominsky asked about the amounts of the increases. Part of the large increase was the hiring of another officer, with the accompanying uniforms, benefits, etc. Ms. Kominsky is disappointed by the lack of

interest in finding a solution. EMT feels that yes, it's the largest Township needing the most police protection, but more money paid in should entitle the Township to another member on the Police Board. Chairman Gross was disappointed with past behavior of the other municipalities involved. Also, Vice Chairman Naylor said that the police department must evolve with the evolution of the community. Supervisor Rudisill said that EMT will continue to negotiate.

Dave Bloss asked if the new hires replaced people who retired. Yes, and the department is at full complement now; a new officer will be an extra, so to speak.

Bob Cramer, new EMS Chief for the area, was introduced and welcomed. It was noted that there are all paid personnel. No volunteers. That means that this entity is not eligible for Volunteer Relief funds.

2019 Volunteer Fire Relief Allocation – received \$52,187.24 from the state. Discussion was held.

Jake Busch, Chief Eagle, spoke to why the reports haven't been submitted. He asked for more communication from the Board as to what reports are needed. Vice Chairman Naylor asserted that Andy Rauscher assured him that Mr. Rauscher would provide the requested reports. Vice Chairman Naylor was waiting for someone from the fire company to contact him; the fire company would like the board to speak up when the reports are not right.

Disburse as follows: **Motion by Chairman Gross, second by Vice Chairman Naylor to disburse \$30K to Manchester Union, and \$22,187.24 to Mt. Wolf.** *Discussion* – is this consistent with 2018? Yes. **VOTE: Two members voted aye; Vice Chairman Naylor opposed. Motion carried.**

Check to be disbursed to Eagle and Union in the amount of \$48,500; to clear the accounts.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve \$48,500 to Eagle Fire Company and \$48,500.00 to Union Fire Company. All members voted aye; motion carried. Vice Chairman Naylor feels that there has to be a more specific way to figure out which company gets how much of the Volunteer Relief funds.

Public Protection Classification Survey – lower insurance rate for 2020? The information is actually for Mt. Wolf Borough, but EMT pays a portion, hence the notification. No action necessary.

Special Requests

York Water Company – hydrant installation at North Sherman and Codorus Furnace – Chief Stevens approved. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to install the hydrant at the SE corner of North Sherman Street and Codorus Furnace.** *Discussion:* what generated this request? Extension of the water main and connection to a few more houses. How about hookup to the mobile home park? Mr. Gentzler can ask about this. **VOTE: All members voted aye; motion carried.**

80 Old School Lane – Mrs. Masemer said that Mr. Frey is building a home at 80 Old School Lane. There's a shared driveway from Hill Street. In 2014 there was a shared access agreement that was never recorded. The applicants would like to branch off of the shared access. Mr. Gentzler feels this is a good idea; the shared driveway is indeed existing but was not done according to the Township code, nor has it been used for a while.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve All members voted aye; motion carried.

Correspondence

York County Planning Commission – Core5 submitted a plan to develop along Board Road in Manchester Township. FYI. Also notice about RAK Church Road, LLC, on Church Road in Conewago Township.

Solicitor's report – Attorney Andrew Miller

- LERTA reinstatement – added list of compliance requirements to remain in the LERTA program. Hearing process before the Board to approve the applicants. Board would have the right to impose conditions on any acceptance to the program. Board will review the draft and will give Attorney Miller comments for the December meeting. Attorney Miller should feel free to share the information in this draft with the school board's attorney.
- Update to Motor Vehicle Regulation Ordinance – **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize Attorney Miller to advertise this ordinance.** *Discussion:* Mr. Gentzler asked that the Board members please identify a speed for certain roads; he recommends 30 mph. *Vote:* **All members voted aye; motion carried.**
- Tax Rate Resolution for 2020: Resolution 2019-14, **Motion by Vice Chairman Naylor, second by Chairman Gross, to adopt Resolution 2019-14 as presented. All members voted aye; motion carried.**
- Short-Term Rental Ordinance – YCPC's comments received. Recommends that the Township *decline* to adopt this Ordinance. The Township does not have to follow YCPC's recommendations. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to advertise as presented. All members voted aye; motion carried.**
- First Amendment to Stormwater Agreement for 84 Zions View Road – DHL has signed this amendment. **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve this Amendment as presented. All members voted aye; motion carried.**

Engineer's report – Byron Trout

Inspections

Plan reviews

Correspondence

MS4 and Chesapeake Bay Plan

Grants: Growing Greener grant application due December 20; apply for watershed restoration and related projects. 50% matching funds grant. DCNR grants due April 22, for parks or recreation. Also a 50% matching funds grant. Offers an environmental education grant for which the school can apply, and the Township can be a partner. Repairing buffers and tree planting are parts of this grant. DEP has a stormwater grant to be released soon. Not a matching fund grant. Also, CDBG project might be an option, but some of the criteria have changed for this one.

Vice Chairman Naylor asked about the swale on the Lucas property regarding DHL – Mr. Trout will follow up. Also, DHL monuments and trees planted wrong. Progress? Mr. Trout is on top of the situation. Zions View Road reconstruction? PennDOT put on hold because of the temperature. Hoping to get to it next week with better weather. How about Mr. Dolan's situation? Mr. Trout still has work to do. Supervisor Rudisill feels that it's time for action. *Start enforcement action regarding the Dolan and Tome properties.* Mr. Trout will confer with Attorney Miller.

Chairman Gross discussed the Garrod property with Mr. Trout for his advice on how EMT can get some credit for its MS-4 plan from this development. Mr. Trout noted that Garrod must meet DEP's minimum requirements for the MS-4 plan.

EMT salt building – nothing discussed.

Secretary/Treasurer/Manager's report – Dave Gentzler

Sewer Authority – Minutes are available from the meetings of September 23, 2019, and October 21, 2019. Joel Klinedinst – still looking at the next billing cycle for online payments. Act 537 Plan – Garrod's proposing one solution, and the Sewer Authority is proposing another option. Hopefully, some grant

money will be received.

Recreation Board – Minutes are/are not available.

Public Works Director – Leaf collecting going well. Last collection date will be the first week in December.

Zoning Officer – website was updated.

Discussion was held regarding the overgrown property on Sherman Street. Mrs. Masemer is planning to ease up over the winter. Vice Chairman Naylor feels that momentum should be maintained. Discussion was held on the state of the vegetation on the property. No, don't back off over the winter.

Also, there was a fence citation at Starbucks. The fire department was dispatched for an alarm. There was a private lock installed on the emergency access gate. The gate attendant was asleep at the switch. Other locks were also in place, but they were removed by the fire company.

Citation issued to Starbucks and the property owner.

Upcoming Zoning Hearing Board meeting – Variance request for Section 255-12, to allow an auction house and storage, plus some other Variance requests associated with the first one.

York County 2020 Hazard Mitigation Plan – Resolution makes EMT a participant and permits EMT to apply for some grants. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve Resolution 2019-15, as presented. All members voted aye; motion carried.**

SPCA 2020 Animal Care and Housing Agreement – Chairman Gross still feels that the Board signed a contract with the SPCA stating that there would be no price increase for 10 years, and this is about the 8th year. He looked at the SPCA's finances and wonders why they need a 3% increase. No action taken tonight.

Mt. Wolf's Workman's Compensation Renewal -- Mt. Wolf feels that the Township should pay \$19,205.00, or 70%; Manchester feels EMT should pay 57% or \$11,503.00. The Board members feel that this is unfair. No action taken.

Waste Disposal/Penn Waste/YCSWA – rate increase of 69 cents per quarter per resident.

Land Development/Subdivision –

Nothing at this time. Thank God for small favors. It was late enough by this point.

Supervisor's comments

Vice Chairman David L. Naylor – regarding the meeting with YCPC, EMT's Board of Supervisors, Springettsbury and Manchester Townships -- he's all for municipal cooperation, but he bristles at the condescension from another municipality. Perhaps some ground rules need to be established for such meetings. Keep meeting and working together, but please keep it civil. Mr. Gentzler noted that said behavior was the reason why the YCPC was invented – to keep civility amongst the municipalities and to foster working together.

Supervisor Barry E. Rudisill – how are the email addresses for Supervisors coming along? There was a timing issue, and Mr. Gentzler is working on it. A new Township domain is to be added; then emails can be added.

Chairman Steven H. Gross, Jr. – was there a refund of the parade funds, since the parade wasn't held? How about if the Lions' Club be permitted to keep the funds, but let the Township know how those funds might be spent?

From the audience, Mr. Rentzel informed the group that the light on the flag pole is out; Mr.

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Gentzler is on it.

Motion by Chairman Gross, second by Supervisor Rudisill, to disburse \$10K to the senior center (Line 458.5). All members voted aye; motion carried.

Motion by Chairman Gross, second by Supervisor Rudisill, to pay the bills as presented. 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 9:34 p.m.

Respectfully submitted,

Dave Gentzler
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary