

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**September 8, 2020**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill, Attorney Andrew Miller; Kristie Masemer, Manager/Secretary/Treasurer; Roadmaster Shane Haugh; Engineer Byron Trout, Zoning Officer Brittany Kohler; Recording Secretary, and 15 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 August 11, 2020, the Board neither met nor conducted any business.

On the minutes of the meeting of August 11, 2020, there are two corrections to be made; on Page 3, top of page, the statement reads that the “county is not in favor of guide rails on either side of the *road*.” Supervisor Rudisill noted that the county didn’t want to see guide rails on either side of the *curb*, not the road. Correction to be made.

Middle of same page, the statement reads that the “Planning Commission did not want to have the occupancy permit issued before the Betterment Project is completed.” The wording should be “Planning Commission did not want to have the occupancy permit issued before *Hillwood’s and DHL’s road improvements are complete*.”

**Motion by Chairman Gross, second by Supervisor Rudisill, to approve the minutes of the meeting of August 11, 2020, as amended above. All members voted aye; motion carried.**

Conner Slanker, new road crew member, was introduced. Welcome to the EMT family!

**Public Comments**

Mike Grothouse, 1215 Canal Road Extended – any progress on the pond? The scum on the surface and the non-draining of the water? Mr. Trout said it was pumped once, and the drain system is supposed to drain it out; will call tomorrow to check. Also, any progress on the replacement of the dead trees? Mrs. Kohler said those are to be replaced by November, per her conversation with a representative. Also, the hill grew back in with crabgrass – will it be reseeded with proper grass? Mr. Trout will check. Also, noise meters are in use – any progress on the light shielding? Mr. Trout said that shields were placed on 20 lights. Mr. Grothouse hasn’t noticed any changes, but will look again tonight. Again, Mr. Trout will meet with the new property maintenance company. Vibration study concludes this Friday; report should be available for the October Board meeting. The tires are gone; the mowing is progressing; and the driveway has been removed.

Ed Hewitt, thanks for fixing the sinkhole on Manchester Street within Manchester Borough. Mrs. Masemer received several calls of thanks for that, too.

Sewer Authority is taking responsibility for it – tried to get the Borough to do it; no response; asked the Township, and it was completed.

Denny Dolan, any progress on his water drainage problem on Zions View Road? Mr. Trout will email Mr. Dolan the report that Mr. Trout received. Still no progress to report; he will contact the engineer tomorrow. Mr. Trout feels that the clay bottom should be restored on the pond, but that’s going against

DEP's recommendation. Mr. Trout is having trouble getting some satisfaction from outside agencies for identifying the problem and/or taking responsibility for the issue. Mr. Trout will check to see if there's any surety remaining from this project. Mr. Dolan has been very patient, thank you, and this situation needs to be resolved.

### **Emergency Services Report**

Fire Chief's Report – nothing to add to his report. How about the I-83 Exit 26 meeting on September 23? Any progress in that regard? Can there be something actually visual for non-computer users to see? Everything is in place for the meeting and there will be an option of attending the meeting in person or virtually.

How's next year shaping up for funds? Majority of the contracts for the fire hall have already been cancelled. Please let the Township and other municipalities know before the financial situation gets too dire. Will do. They're trying their best to plan ahead and plan differently.

Nothing to add to the ambulance report. No questions.

Northeastern Regional Police -- Chairman Gross noted that, at the last police meeting, Mt. Wolf Borough said that East Manchester Township needs to make a decision, as budget time is fast approaching. The figures show that EMT is overpaying by \$13K; Manchester is underpaying by \$79K, and Mt. Wolf is underpaying by \$38K. Chairman Gross asked about making a motion for if EMT supports the police budget for 70 percent. Vice Chairman Naylor doesn't feel that it's dire that EMT make a decision. Chairman Gross reported that year to date, the Township generated 61% of the calls for service, so paying 70% isn't unreasonable. Supervisor Rudisill asked that the parties resolve this issue, quit spinning the wheels; make a decision.

### **Special Requests**

Tax Collector – exoneration – **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize the Tax Collector to refund the total of \$48.25 as requested. All members voted aye; motion carried.**

York Water Company – fire hydrant proposal, Starview – Chief Stevens approved the hydrant plan requiring hydrant #4 to use the proposed alternate location. Public Works Director Shane Haugh agreed with the same comment. **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the letter from Joel Patterson from the York Water Company for the four hydrants as proposed. All members voted aye; motion carried.**

### **Correspondence**

YCPC – Grant opportunity; open space details – just to preserve open space and land. Interested? Supervisor Rudisill reminded the Board that the Comp Plan should be taken into consideration relative to any application of this nature.

Brunner Island ash basin 6 dewatering project – Act 14 notification – they will pump water from Ash Basin 6 using new and existing piping to the Auxiliary Wastewater Treatment Plant located on the property.

Any follow-up on the soccer field issue? Attorney Miller reported that no progress has been made, despite numerous attempts by Attorney Miller to contact.

YCPC letter – Farmbrooke Meadows Preliminary Subdivision, 68 detached single-family dwellings in Manchester Township – received notice of the development. Mr. Trout noted that Gordon Brown and Associates is handling that development.

Cover Crop funding available through the Conservation Excellence Grant Program in York County – provides financial and technical assistance for the implementation of best management practices

September 8, 2020

Page 2 of 5

(BMP) on agricultural operations.

**Solicitor's report** – Attorney Andrew Miller

- Charlie Courtney was present to discuss outstanding items on Core 5's plan. Street addresses; financial surety; and stormwater agreement; developer's agreement. Stormwater agreement same as before. *Page 5* of the developer's agreement – Guardrail for Rail Trail along Mundis Race Road. Core 5 will install guardrail at their expense. Mr. Haugh gave his approval to the wording. *Change:* not "either north or south side" – guard rail should be on *both sides, one post, double rail*; Mr. Courtney will change; it was his misstep. Will the rail be in the street ROW? Yes. *Page 6*, internal loop road be completed as part of construction of Buildings 4 or 5. The language should be changed to completed prior to construction of Building 4 or 5. The Board is okay with after the construction of Building 3 as long as it is prior to Building 4 or 5. *Page 10*, calls for Building 1's foundation permit to be issued prior to recording of the plan for Phase 1 as long as they post the construction security prior to pulling the building permit. Manchester Township will NOT allow the issuance of a building permit before recording, but will accept the permit for processing. Would EMT process the permit to get the process started but not issue the permit before the plan is recorded? Also, the developer has made a request for an extension of LERTA until the issuance of building permit for the third building or five years, whichever is *earlier*. Discussion was held on the ramifications of this approval, should the Board grant the request for extension of time AND the specifics of the LERTA program of the school district. *Action on the above time frame – make it three years, not five years.* **Motion by Chairman Gross, second by Supervisor Rudisill, to approve the Core 5 stormwater agreement and the developer's agreement as amended above. All members voted aye; motion carried.**
- **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Resolution #2020-9, Tax Penalty Forgiveness/Refund. All members voted aye; motion carried.**
- Starbucks driveway restrictive declaration – revisions circulated prior to tonight's meeting – Attorney Miller is comfortable with the changes proposed. **Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize the revisions to the Starbucks driveway restrictive declaration as proposed. No further changes are permitted. All members voted aye; motion carried.**
- Stormwater/Zoning Ordinance Amendment – still a work in progress. Will be presented to Laymon Mortorff for review and comments.
- Garrod Property Subdivision and Land Development Plan – time extension requested until October 30, 2020, and the applicants are also requesting to appear before the Board at the *second* September Board meeting. No, the Board isn't intending to meet on September 23. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the request by Garrod for a time extension until October 30, 2020. All members voted aye; motion carried.**
- Brief Executive Session requested to address personnel policy changes.

Supervisor Rudisill noted that the Canal Road Betterment committee is meeting next week to discuss improvements to Locust Point Road. Design work is still underway for curbing and sidewalks. They'd like to progress to the HOP application. Vice Chairman Naylor reported that he, Mr. Haugh, and Mr. Nace took a field trip to the site. Vice Chairman Naylor doesn't like the proposal to install sidewalk on the east side of Locust Point for the Hillwood property. How about on the west side from Garrod to Kinsley? From Mr. Trout – if the road is moved, then the sidewalk would be the responsibility of the property owners (Henry, Texter). Not the best choice.

Discussion was held on the options. Mr. Trout noted that if there's a crosswalk from the sidewalks on the west side, pedestrians have to cross three lanes. Curbing and sidewalks from Locust Point to Canal Road Extended on the east side (Hillwood frontage), cross walk over to the west side of Locust Point Road from Canal Rd Extended, then meet up to Kinsley's property and sidewalks.

From the audience, Robert Nace reported that at the Planning Commission meeting sight distance was discussed. Also, from the audience, Blaine Rentzel suggested making the developer install the curbing and put the six-month note on the plan for the sidewalks. Mr. Trout reported that the intersection will be widened to accommodate a school bus making the turn.

#### **Engineer's report – Byron Trout**

Canal Road Betterment Project – Erdmond Anthony response to comments from Board of Supervisors -- see the comments above.

Sidewalks on the Texter property – the Township did indeed send the six-month note to DHL at 84 Zions View Road, but the question came back, can they do it with the Phase 2 improvements so as not to install it, then rip it out and have to reinstall? Makes sense. Robert Nace feels that's too much sidewalk to require that residential property owner to keep clear of snow/ice.

#### **Secretary/Treasurer/Manager's report – Kristie Masemer**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize the advertisement of the meeting between Joel Klinedinst, Robert Nace, Staff, and Supervisors for October 20, 9:30 a.m. All members voted aye; motion carried. Staff meeting to discuss future contract with NEYSA.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize the advertisement to move the budget meeting to October 21, 6 p.m. All members voted aye; motion carried.**

Question from Chairman Gross: is anyone interested in a tax increase? Third time asked, still no takers.

2021 MMO approval – **Motion by Supervisor Rudisill, second by Chairman Gross, to approve the MMO for 2021 in the amount of \$ 27,219.00. All members voted aye; motion carried.**

Sewer Authority – back to full staff. Two employees are attending school to become operators. 2021's budget will include a handheld camera capable of traveling 400'.

Zoning Officer – JJ Four requested that the Planning Commission grant to table their plan to further prepare. Three August ZHB requests were granted. From Vice Chairman Naylor – in August, 32 yard sale permits issued, which takes staff time. Why does the Township require a yard sale permit? He suggested eliminating the yard sale permit requirement. From Mrs. Masemer – where does one draw the line on repeated instances of someone holding a yard sale? It was originally adopted to prevent people from having a yard sale every weekend, and so that the police might know of possible traffic issues. Supervisor Rudisill noted that there has to be a way to regulate, or people will indeed push their luck to have a sale every week. Mrs. Masemer added this could potentially be an ordinance amendment to address repeat instances if yard sale permits were eradicated.

Recreation Board – still no Board.

#### **Public Works Report – Shane Haugh**

Activity report – no questions or comments on Mr. Haugh's report.

Dellinger Road installation of plastic main – approval received from Columbia Gas for the Transmission Lines. Work to be done in spring or summer of 2021.

September 8, 2020

Page 4 of 5

Proposed crew cab – **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize the purchase of a new 2021 crew cab vehicle, with snowplow and spreader, for \$55,550, through the CoStars program. All members voted aye; motion carried.**

**Motion by Chairman Gross, second by Vice Chairman Naylor, to approve Resolution 2020-10, transferring funds in the amount of \$55,550 from the 2020 budget's Highway Construction Supplies to Highway Capital Purchases to purchase the new vehicle above. All members voted aye; motion carried.**

Amendment to master building plan – nothing discussed.

#### **Land Development/Subdivision –**

No plans at this time. The minutes from the July and August Planning Commission meetings were available for review.

#### **Supervisor's comments**

*Vice Chairman David L. Naylor* – nothing at this time.

*Supervisor Barry E. Rudisill* – nothing at this time.

*Chairman Steven H. Gross, Jr.* – Kudos to Mrs. Masemer for providing the requested information to the Board members. Well done and most appreciated.

Mrs. Masemer requested an Executive Session following the meeting.

**Motion by Chairman Gross, second by Supervisor Rudisill, to pay the bills as presented. All members voted aye; motion carried.**

Chairman Gross noted that the Halloween Parade was cancelled for this year. What should be done with the donation money that was earmarked for the Parade? How about the donation to the Senior Center, too? Think about it and perhaps discuss at the October Board meeting.

Vice Chairman Naylor suggested checking into an emergency services grant for a generator for the Township Building.

**Motion by Chairman Gross, second by Vice Chairman Naylor, to *recess* to executive session. All members voted aye; motion carried.** The meeting *recessed* at 9:25 p.m.

**Motion by Vice Chairman Naylor, second by Chairman Gross, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Kristie Masemer  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary