

EAST MANCHESTER TOWNSHIP
Board of Supervisors
February 9, 2021

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill; Attorney Andrew Miller; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Brittany Kohler; Recording Secretary, and seven 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 January 4, 2021, the Board neither met nor conducted any business.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the Reorganization meeting of January 4, 2021. All members voted aye; motion carried.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the regular meeting of January 4, 2021. All members voted aye; motion carried.

Public Comments

Nothing at this time.

Emergency Services Report

Fire Chief's Report -- Chief Stevens reported that he is still waiting to hear about when Covid-19 vaccines might be available for the staff. From Mr. Haugh, is a car accident labeled as an MS-4? Yes, all reports are on file. Valentine's Day fundraiser sales went well, but pickup isn't until this Thursday. No questions or comments on the ambulance report.

Northeastern Regional Police -- no discussion

Special Request

Nothing at this time.

Correspondence

Garrod Hydraulics – renewal of permit for air contamination source

Census 2020 – closeout and thank you; 76% response from York County; 99% response overall from Pennsylvania

YCPC update – development of regional significance – Amazon, Springettsbury Township; FYI

YCPC – Goodman Logistics Center – Goodman Drive, Newberry Township; FYI

Solicitor's report – Attorney Andrew Miller

- A Public Hearing was convened at 7:10 p.m. to discuss the proposed amendment to the Zoning Ordinance. No public comment or questions. From Vice Chairman Naylor, the amendment still gives the Township some control to prevent a resident from blocking stormwater measures. Hearing closed at 7:12 p.m. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Ordinance #2021-1, Amendment to Zoning Ordinance, Fences and Stormwater Management. All members voted aye; motion carried.**

- Intermunicipal Agreement – (Area 2) Attorney Miller suggests moving this item to its own agreement with the Sewer Authority. This would remove it from the documents that involve the municipalities, which makes sense, as those municipalities aren't a party to this agreement. *Comments:* If this was originally adopted in 2002, yet it hasn't been accomplished yet, how does this new agreement work? Is this an agreement to say that they're going to be doing something that they should have done long ago? There were other questions from Chairman Gross, who feels that this agreement is being "a little too generous" and the document needs a bit "more forceful language." Also, the Sewer Authority minutes from December indicate that there are some repairs to be done; Chairman Gross feels that the Sewer Authority hasn't been forthcoming in its progress. From Vice Chairman Naylor, the Township staff needs some direction as to what to tell residents who have been directed to call the Township office with sewer Area 2 questions. What is the rate for Newberry Township? From the audience, Joel Klinedinst confirmed that the rates have increased every year for the last five years. Attorney Miller noted that the other parties to the Intermunicipal Agreement have not yet reviewed the document. Surcharges and their effects were discussed for Area 2. Supervisor Rudisill is not in favor of levying any surcharges. Everyone should pay the same sewer rate. Chairman Gross agrees. Since the Intermunicipal Agreement is a ten-year agreement, Attorney Miller was trying to permit the greatest flexibility for the *possibility* of imposing surcharges. How about language for dissolution? None is included; should there be? Attorney Miller noted that the Sewer Authority Act adequately covers that issue. Regarding financing -- there's a meeting set for Monday to discuss the financing; a representative of the Township might want to attend that meeting. Strike the sentence that states The Authority's Engineer will subcontract to the Township's Engineer the construction stakeout work. Vice Chairman Naylor feels that it is a good idea to have a second agreement for Area 2, *provided that* the separate Agreement protects the residents of Area 2. Mr. Klinedinst noted that previously, the Sewer Authority provided the financing for residents who could not pay those costs. Those residents then repaid the Sewer Authority monthly after that. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to authorize Attorney Miller to send the Intermunicipal Agreement to the Solicitors for the other involved parties. All members voted aye; motion carried.**
- The Area 2 Agreement was discussed again. The Sewer Authority should obtain all street cut permits and PennDOT permits as required. Does the Township waive those permit costs or reduce the fees at all? No waiving of the fees, but yes, act in good faith to keep the project "reasonable" for the residents. Perhaps state that the Sewer Authority will pay the fees unless waived by the Township. That allows for some flexibility. Sounds good. Also, add provisions about the Sewer Authority covering the financing for residents who cannot afford the fees (this would be need-based assistance). Sounds good, too. The Sewer Authority cannot simply refer the township residents' questions to the Township. Also, the Sewer Authority can't be so "heavy handed" in its initial letters to the residents. That is what prompted so many calls to the Township Office. Also, add a timeline within which to have the project completed. Overall, the Board would like for Attorney Miller to make the changes for final review and discussion in March.
- Canal Road improvements (red-lined) -- Attorney Miller is working with the other parties to finalize the documents to everyone's satisfaction. Several changes were made following a phone call with PennDOT. No developer has signed this agreement yet. Attorney Miller is still waiting for some responses from other parties.
- Attorney Miller presented the proposal for renegotiating the Comcast agreement. He recommends permitting the third-party negotiator to discuss the contract on behalf of several municipalities. Franchise fees were discussed. This proposal will be discussed at a later Board meeting.

Engineer's report – Byron Trout

Staff and Mr. Trout have been working with the EPA on the MS-4 plan, etc., with an all-day inspection set for tomorrow. Final report in about 20 days.

Secretary/Treasurer/Manager's report

Sewer Authority – minutes are available from the budget meeting of December 3, 2020, and the regular meeting of December 21, 2020.

Zoning Officer – Checkers' temporary occupancy permit expires February 18. What is the Board's recommendation? No need to extend the temporary; proceed with the final. Will do. From the audience, Bob Nace suggested that the DHL temporary access should be plowed if there's snow on it. Mrs. Kohler will follow up. How about the one on Bartlett for Starbucks? Same.

Recreation Board – Manchester Borough is still requesting that EMT cover half of the park costs. Total bill: \$5,727.50; \$2,863.75 is half. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to pay the Manchester Borough \$2,863.75 for half of 2020's costs. All members voted aye; motion carried.** What to do about 2021? A question was raised that there was no facility rental included in the income, yet the building was rented numerous times. Should the Township continue to help with expenses? Should the Township let Manchester Borough take care of its own park? Manchester Borough can't sustain the park without the Township's financial help. From the audience, Bob Nace asked how much liability the Township is assuming for this park? We are unsure how much liability we are responsible for. Vice Chairman Naylor stated he will draft a letter to send to Manchester Borough to inform them we are not participating with them for 2021 and see what happens next year.

Joel Klinedinst asked if there might be any way to get more guard rail installed at the entrance to Saginaw Park. Mr. Haugh will check.

Public Works Report --

Mr. Haugh reported on the Exit 26 issue; the last meeting was held recently. Tomorrow is last day for public comments. Vice Chairman Naylor noted, at the last meeting, the request was made to finish Bartlett and to extend a road from Espresso to Willow Springs.

Award bids for Manchester Street project: **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to award the Manchester Street project to Shiloh Paving at a cost of \$145,298.00. All members voted aye; motion carried.**

Land Development/Subdivision –

Nothing at this time.

Supervisor's comments

Supervisor Barry E. Rudisill – How's the Dolan situation? Stormwater report was available and picked up for review. Work in progress, but there is indeed progress. Mr. Trout will keep Mr. Dolan updated as information is available. Also, is an expansion planned for Ollie's? Yes.

Vice Chairman David L. Naylor – Union Fire Company's Workers' Compensation is still due – the Township owes to Manchester Borough. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to disburse \$9,198.09 to Manchester Borough for Union Fire Company's workers' compensation, contingent upon Jen's verifying that this is the correct amount. All members voted aye; motion carried.**

Motion by Chairman Gross, second by Supervisor Rudisill, to approve 504 requests for tax

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exoneration in the total amount of \$2,520.00. per the tax collector's recommendation. All members voted aye; motion carried.

Chairman Steven H. Gross, Jr. – No comments.

Executive session requested by Mr. Haugh to discuss a personnel matter.

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

Motion by Chairman Gross, second by Vice Chairman Naylor, to *recess* to Executive Session to discuss personnel matters. All members voted aye; motion carried. The meeting *recessed* at 9:26 p.m.

Respectfully submitted,

Julie B. Maher,
Recording Secretary