

EAST MANCHESTER TOWNSHIP
Board of Supervisors
April 13, 2021

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout (arrived at 7:27 p.m.); Zoning Officer Brittany Kohler; Recording Secretary, and 12 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 on March 9, 2021, the Board met in Executive Session prior to tonight's meeting.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of March 9, 2021. All members voted aye; motion carried.

Public Comments

Mike Grotehouse asked about reseeded the hill behind his property – per Mrs. Kohler, yes, it's in the works to be done. How about the pond? Wait for Mr. Trout's report.

Emergency Services Report

Fire Chief's Report -- Hopefully, the hall will be available for rental in June. The Department will hold a fundraiser on April 22, a rib barbecue; then on April 26, *maybe* the food truck mania, depending on the restrictions.

Northeastern Regional Police -- no report at this time.

Northeastern Area EMS – donation flyers were mailed. Also, from the Board, there have been some residents' concerns that response time is lagging; fire and police personnel arrive first. The ambulance representative, Bob Cramer will look into it.

Special Requests

Meeting House Road petition -- the speed trailer was placed in the area. Unfortunately, all the data from that placement was lost. It will be repeated, and there should be results at the next Supervisors' meeting.

Chestnut Valley stop bar request -- a resident is concerned for the safety of the children in the area because of speeding vehicles. Can something be painted on the road? Other developments will surely be requesting the same thing. Vice Chairman Naylor will have the police chief contact Mrs. Masemer to discuss.

Correspondence

Covid-19 relief funds for local governments -- \$772,159.00 for EMT. No guidelines in place yet for how the Township shall use that money.

Solicitor's report – Attorney Andrew Miller

- NEYCSA Intermunicipal Agreements -- Two agreements, one for Area 2 and an Intermunicipal Agreement between the two boroughs and the Township. Last month's comments were assimilated into the documents and the documents were circulated to the other municipalities. From the audience, Chris Toms reported that the Sewer Authority will review the Agreement at the end of April.
- NEYCSA 2021 Bond Offering and Resolution #2021-6, ratification of contribution agreement -- **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve Resolution #2021-6. All members voted aye; motion carried.**
- Garrod Property/Hillwood Facility sewer planning module -- Chris Fencel with Hillwood spoke at Chairman Gross's request to give an update on the road improvements. Multiple parties are involved with the Canal Road Betterment Project. Might there be a date set to actually start the improvements? Not yet. It's all still in the works and permits are being applied for. It is difficult to hurry along another agency or agencies in their handling of the requests. Chris Toms gave an overview of the process for the approval of the sewer planning module for Hillwood. At this time, there's a corrective action plan in place, and corrective actions have been taken. Hopefully, the DEP restriction will be lifted by June of 2021. The Sewer Authority will keep the Board apprised of the progress. From Attorney Miller, the developer's agreement with Hillwood should be modified to reflect the current situation with the Sewer Authority. How does the Board feel about the timing of issuing building permits and the sewer situation, so that the developer's agreement might be modified? Vice Chairman Naylor is not opposed to approving the module, but no fit-out permits should be issued until the EDUs are guaranteed. The Manager and Zoning Officer are fine with the timing and issuance of those permits. From the audience, Chris Fencel and Ron Lucas understand and agree to the conditions, as long as they still have the ability to "pull a shell permit" in the midst of all of this. No problem. Supervisor Rudisill suggested that this discussion be placed in writing; good idea, and that could conceivably be available for next month's Board meeting, in the form of a final Developer's Agreement. Hillwood representatives agree to the above modifications and conditions. They are optimistic that the Developer's Agreement can be available in final form for the May meeting. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve Resolution #2021-8, conditioned on the sewer EDUs being available and the water quality permit being prepared; that the Developer's Agreement can be modified to include the baseline study prior to construction; AND that Hillwood will work to bring the final developer's agreement for next month's meeting. Two members voted aye; Chairman Gross opposed. Motion carried.** Request from Chairman Gross – please present any documents to the Supervisors a week prior to the meeting so that they can review the information before the meeting. Will do.
- Attorney Miller reported that there's to be a Betterment Agreement meeting/call this Friday. Attorney Miller is optimistic that this Agreement can be available in final form for the May Supervisors' meeting.
- LERTA Ordinance Amendment -- Attorney Miller gave the details of the Agreement. The Board members will review and then discuss next month.
- Solar Farm Ordinance -- Attorney Miller met with staff to start preparing a solar ordinance. A first draft was circulated to the Board members for their review.
- Vice Chairman Naylor asked for some changes to the burn ordinance to permit controlled agricultural burning. That might already be permitted by the ordinance; Mrs. Masemer will check and will give the Board members copies and input.

Engineer's report – Byron Trout

Mr. Grotehouse noted that the DHL pond behind his property is not draining. Mr. Trout will check on the progress of that project.

Checker's Restaurant -- **Motion by Supervisor Rudisill, second by Chairman Gross, to approve the surety reduction for Checker's Restaurant in the amount of \$41,817.60, leaving a balance of \$0, as recommended by the Township Engineer. All members voted aye; motion carried.**

Orchard Business Park Phase II, Lot 3 -- **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the surety reduction for Orchard Business Park Phase II, Lot 3, in the amount of \$358,601.10, leaving a balance of \$169,995.27, as recommended by the Township Engineer. All members voted aye; motion carried.**

DCED will have a grant available for street paving, etc. The application will be due in July. Mr. Trout will pass along information as he has it.

Mr. Trout and Mr. Haugh met at Mundis Race Road with Core 5 and Kinsley, ascertaining that there has been no damage to that road since the start of the project. Correct.

EPA report was received; Mr. Trout can provide hard copies if staff desires. He will provide a summary. Mr. Trout saw no fines levied to the Township. There are some issues to be fixed, but no deadline was given. Mr. Trout is in the process of figuring this out with EPA's input.

How about the Dolan property? Progress is being made. Keep after it all to assure that the problem is fixed to everyone's satisfaction. Mr. Dolan has been more than patient. Chairman Gross suggested that some of the Local Government Relief money could go toward fixing the Dolan property water problem.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – minutes are available for review. Thanks for approving the funding! Very helpful.

Zoning Officer -- nothing to add.

Recreation Board – still no board serving.

General Code --- web code updates. General Code gave an estimate to update the website with the code information. \$3495 to 3995 to update. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the project to update the codes on the website at a cost NTE 4K. All members voted aye; motion carried.**

Citizens' complaints received about political signs. Most of the complaints or statements apply to signs that are located in the Borough. Some of the complaints are related to flags in support of a candidate or opposing another candidate's winning an election. Does the sign permit requirement apply? Will the flags/signs go away with the passage of time? Likely.

Public Works Report --

Liquid Fuels approved projects -- The following are liquid fuel projects. Mr. Haugh gave the details and locations of the proposed micro-surfacing projects. Also approved by liquid fuels, the Dellinger Road storm sewer project and Willow Springs Lane for widening and overlay.

Street sweeping agreement with Mt. Wolf Borough -- great idea! Add "pay by net 30 days" language. Will do.

Picnic table pavilion -- estimate for \$1100 to install a lean-to structure for picnic/lunch area. How about a free-standing structure? Mr. Haugh will get an estimate.

Mrs. Masemer suggested a Township Building fence buffer abutting Mr. Elfner's property to eliminate commercial noise and line of sight issues. Good idea. Staff will present quotes and ideas.

How about the lobby updates? Still waiting for some glass pieces.

Mr. Haugh proposes trading in two Township vehicles to apply to a new vehicle, an F-600. Cost: \$77,400 after trade-in. **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize the disposal of two Township vehicles and get an F-600 at a cost of \$77,400, funds to come from Line Item 430.700. All members voted aye; motion carried.**

Land Development/Subdivision –

No Planning Commission minutes nor plans for tonight.

Supervisor's comments

Vice Chairman David L. Naylor – regarding Attorney Miller’s meeting with Conewago Township on Friday -- if no agreement, get the Managers involved. Got it. Also, traffic study on Meeting House Road; keep on it. Will do.

Supervisor Barry E. Rudisill – nothing at this time.

Chairman Steven H. Gross, Jr. – Board Road water tower didn’t have a driveway and somehow, now they have one. Staff will check.

Chairman Gross reported that, following the meeting, the Board will meet in Executive Session for discussion of personnel matters. No action will be taken.

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. All members voted aye; motion carried. The meeting recessed at 9:03 p.m.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:26 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary