

EAST MANCHESTER TOWNSHIP
Board of Supervisors
May 11, 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; 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 of April 13, 2021, the Board met in Executive Session on May 5 to review Hillwood agreements; no action was taken. No official minutes taken.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the regular meeting of April 13, 2021. All members voted aye; motion carried.

Public Comments

Mike Grotehouse reported that DHL's progress has been slow to none on numerous issues. Mr. Trout has been in conversation with DHL's contact. He has also spoken with someone regarding the lighting; there is to be some progress on that issue. Mrs. Kohler stated that DHL replaced one hundred dead trees recently. She also stated that they should be working on the grass seeding soon.

Darryl Albright reminded those present that Saturday, May 15, is National Police Officers' Day. Flags will be at half-staff.

Emergency Services Report

Fire Chief's Report -- The gate on Bartlett has been locked as requested. How about the rumor that Eagle Fire Company is building a new station? Chairman Gross reported that the Township received information that the Borough wants to purchase the church's parking lot to build a new building. Interesting. Chairman Gross reported that Eagle did indeed submit the requested report for this month. Question to Chief Stevens: ballpark losses from pandemic? Between \$60,000 and \$70,000.

Ambulance -- information presented regarding response times, as requested. There might be a few incidences wherein the ambulance crew is later arriving on the scene. There are also circumstances to explain why the police might arrive on the scene before the ambulance. Overall the Northeastern Area Emergency Medical Services presented statistics that their response time beats the average for PA State EMS.

Northeastern Regional Police -- nothing discussed.

Special Requests

Musser Lane improvement request -- letter received from resident Dean Fink requesting that the Township maintain Musser Alley/Lane. Send a response letter to him noting that the lane was never maintained by the Township and won't be in the future. The Township echoes the requester's concern with speeding.

Shady Lane abandonment request -- Chris Dellinger with HRG, Inc. and Charlie Suhr were present on this request. The applicant is looking at developing property (the Quigley farm) in Manchester Township. Currently, Shady Lane bisects the property at hand. Might the portion of Shady Lane within

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East Manchester Township be abandoned if Mia Brae gets connected to Shady Lane? The Historic Shady Lane property owner, Steve Kohr, was also present, and he would be in favor of that arrangement with the applicant building a bridge, provided that buses and emergency equipment would have access to his property, of course. It was noted that part of Shady Lane has proven problematic because of truck traffic on the road and bridge. With the new arrangement as proposed, the only vehicles that would access that portion of the road would be people who are attending an event at Mr. Kohr's business. Mr. Kohr feels that it will be good to eliminate non-event traffic on that road. He's not worried about two-way traffic on that portion of the road to and from his events. Chairman Gross advised Mr. Kohr pay close attention to this development along the way to address possible issues before they get out of hand. Because it's in Manchester Township, East Manchester will not be able to provide any relief. Got it.

Any problem with emergency access off of George Street? Not a problem, per Chief Stevens.

Also, to Attorney Miller, if abandoning the roadway, it will be essentially a long driveway – would Mr. Kohr need a Penn Dot HOP? Currently it's a Township road, so maybe, maybe not. Mr. Dellinger can check.

Joel Klinedinst asked if Shady Lane might be extended between two buildings to George Street. Discussion was held.

Robert Nace asked about Shady Lane being a Township Road. If abandoned, it would not be a Township Road. Mr. Haugh noted that if not abandoned, the road would need to include a cul-de-sac to obtain liquid fuels funding (\$1300-\$1400 per year). So noted.

Also, Mrs. Masemer requested that the applicant adhere to the line of sight and other standards in East Manchester Township's ordinance to protect EMT residents that immediately abut the property of the proposed industrial building.

Charlie Suhr for the applicant noted that it should not be a problem to comply with EMT's comments and standards as part of this project. He feels that any agreement/coordination can be kept simple, in response to Chairman Gross's warning that long, drawn-out developer's agreements give him heartburn.

Bob Nace cautioned the applicants to design carefully with the surrounding residents in mind.

Mrs. Masemer so noted that the applicant should give EMT escrow money at the same time they submit their land development plan to Manchester Township for staff and attorney time that would go into this project. Chairman Gross thinks this is an excellent point.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to move forward with the abandonment process for Shady Lane at the appropriate time. All members voted aye; motion carried.

Correspondence

YCPC Regional Significance – Springettsbury Apartment Complex

YCPC Regional Significance -- Fox Run Heights, Conewago Township

Metropolitan Transportation plan public meeting notice of virtual open house. Mrs. Masemer put the information on the Township's website for anyone interested.

YATB Board Representatives – open house/information session.

York County Board of Commissioners -- they are not going to accept the dedication of Lot 6 at the Core5 property, but they recommend that it remain for recreation.

Solicitor's report – Attorney Andrew Miller

- NEYCSA Intermunicipal Agreements -- comments have been received from the other municipalities. Two issues for consideration tonight. Mt. Wolf Borough and Manchester Borough both request that vote on dissolution only be by unanimous consent. Will the board change to unanimous consent? NO, the Board is *not* in favor. The other issue: consent for implementation

of a new rate district or a surcharge in an existing rate district. No, the Board is not in favor of that either. Attorney Miller will convey that information to the other municipalities. What does the Board wish after that? What if the other municipalities refuse to sign in light of the Board's refusals? The Board will let the agreement go unsigned. Relative to the other agreement, Area 2, the tap-in fee freeze might affect other areas. Chairman Gross asked how exactly would the Area 2 freeze affect other areas? Attorney Miller explained. To freeze the tapping fee rates for only Area 2, another rate district would need to be created which the Board does not want to do. So the Agreement provides for a tapping fee rate freeze in the whole system. This would impact the Authority because it would not be able to raise the tapping fee for new developments until after Area 2 is completed. The Board will need to decide if it wants rate districts or a system-wide tapping fee freeze. From the audience, Tyler Kramlick from the Sewer Authority Board said he would convey the concerns to his Board. Discussion was held. Does Chris Toms need to come back to the Supervisors to explain the tap-in fee schedule? The Board is concerned with protecting its residents. The Board directed Attorney Miller to tell the Authority it wants the tapping fees frozen for Area 2 without any rate district.

- Canal Road Betterment Project -- nothing discussed.
- Garrod Property/Hillwood facility -- nothing discussed.
- LERTA Ordinance amendment -- nothing discussed. Remove from the Solicitor's Report agenda until some other items are ironed out.
- Solar Farm Ordinance -- forward the solar farm ordinance to the Planning Commissions for review and comments.
- Burning Ordinance amendments -- make the amendment exclude agricultural fires only in the Ag Security Area. A burn ban would still apply outside the Ag Security Area and to recreational and ceremonial fires. Attorney Miller will make the changes and re-present the amendment in June for adoption at the July meeting.
- Executive Session requested following tonight's meeting.

Engineer's report – Byron Trout

Mundis Race Road inspection -- nothing discussed

Core5 Codorus Creek Phase 1 Surety Reduction – **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the surety reduction for Core5 Codorus Creek Phase 1 in the amount of \$900,277.84, leaving a balance of \$989,895.83, as recommended by the Township Engineer. All members voted aye; motion carried.**

Apparently, the Ollie's project is on hold; prepare an easement agreement for the Dolan issue.

Street adoptions and rentals: Mr. Trout asked the applicant to submit a formal request by letter to the Board. No street work until all utility cuts have been made.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – Minutes are available for review. Nothing to add.

Zoning Officer – regarding the sewer connections for Mt. Wolf; FYI only 10 left to use until the restrictions are lifted.

Recreation Board – still no Board serving.

Penn Waste complaint -- Mrs. Masemer relayed that Penn Waste was not meeting its contract obligations in the Rentzel development. Only one person complained and actually filed a complaint. Mrs. Masemer was working with Penn Waste to achieve some results. Apparently, the complaining resident is

consistently over the limit of the number of bags. Penn Waste is permitted to charge the resident for extra bags. Also, some collectors have not been restoring containers behind the white line of the road.

Chairman Gross reported that the Manager spoke with Mark Zerbe of Keith Gillespie's office about the Act 537 plan and its expansion in the Township. Interesting. This is a state mandate, and perhaps someone can draft a letter in response to Mr. Gillespie's office to inform him of the unacceptable behavior of Mr. Zerbe when he spoke to Mrs. Masemer. Mrs. Masemer, Attorney Miller, and Supervisor Rudisill will draft a letter for the Chairman to sign. Mr. Zerbe owes Mrs. Masemer an apology for sure. Chairman Gross will be calling Mr. Gillespie. Should the Sewer Authority be copied on the letter? Sure.

Public Works Report – Shane Haugh

Meeting House Road – the traffic study does not warrant a three-way stop sign. Mr. Haugh will see that the resident receives a copy of the study. Some other measures have already been taken with some degree of success in reducing speed. Others are in the works.

Also, electronic speed signs might be purchased and used. Mr. Haugh will research the possibilities with prices, etc.

Township Fence buffer -- **Motion by Chairman Gross, second by Supervisor Rudisill, to approve the purchase of the fence buffer NTE \$3,800. All members voted aye; motion carried.**

Township Building addition -- Mr. Haugh presented an updated sketch of the proposal. Any chance that this project might move forward? The office staff has no more space for file storage. The addition is desperately needed. First step, architect. Mr. Haugh has permission from the Board to move forward.

Land Development/Subdivision –

April 2021 Planning commission minutes were made available.

3620 and 3640 North George Street; final subdivision plan -- Blaine Markle, James Holley Associates, was present on this plan which involves combining these two lots into one parcel with the address of 3620 North George and will be in Manchester Township. The applicant will then submit a land development plan. The bulk of the property is in Manchester Township. The Township's Planning Commission reviewed the plan and recommended approval. Mr. Markle noted that much of the property on one side of the creek is unusable, as there's a Penn Waste pond located on that part of the site. He also reported that Manchester Township approved this plan at their meeting tonight.

Waiver requested for the recreation fee. Planning Commission recommended approval of this waiver for Section 208-49.B. No outstanding comments.

Vice Chairman Naylor reported that a resident complained about the removal of the trees, pushed into the woods. That has since been cleaned up, per Mr. Markle.

Motion by Supervisor Rudisill, second by Chairman Gross, to approve the waiver request for the Final Subdivision Plan for 3620 and 3640 North George Street for Section 208-49.B, recreation fees. All members voted aye; motion carried.

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the Final Subdivision Plan for 3620 and 3640 North George Street. All members voted aye; motion carried.

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. – several of the “industrial partners” have stopped mowing their entire properties; they're just mowing the fronts. The entire property should be mowed. Please pass the word.

Several copies are available of the Covid Relief money information. Also, regarding park maintenance with Manchester Borough – complaints are being received that the trash isn't being gathered, etc. Chairman Gross feels that the Township made the right decision to ask the Borough to take over the park. Chris Irwin asked if there's anything new with the police merger. No.

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

Motion by Chairman Gross, second by Vice Chairman Naylor, to adjourn to Executive Session. All members voted aye; motion carried. The meeting adjourned to Executive Session at 9:22 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary