

EAST MANCHESTER TOWNSHIP
Board of Supervisors
August 10, 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 13 citizens.

At a regular meeting held at the Township building, Chairman Steven H. Gross, Jr. called the meeting to order at 7:02 p.m.

The Pledge of Allegiance was given to the Flag of the United States of America.

Chairman Gross reported that the Sunshine Act passed (goes into effect August 29, 2021) and as of that date, the Board must follow the published Agenda. The Board meetings might not be as “audience friendly” as they have been in the past. A person must request to be included on the agenda 24 hours prior to the meeting. Any additional agenda items must be added at the beginning of the meeting; if any further amendments are required, the meeting must be stopped, the Agenda must be amended, then the meeting can continue. Those changes must be posted to the website within 24 hours after the meeting. Also, for accuracy, keep the agenda with the minutes for each specific meeting so that the discussion and/or action items in the minutes mesh with the Agenda. Also, Executive Sessions’ declared topics must be more specific.

Chairman Gross disclosed that since the meeting of July 13, 2021, the Board met on August 2 with the sewer authority for a public meeting to discuss the Area 2 Sewer Project. Also, the majority of the Board met on August 5 about I-83 Exit 26 Comprehensive Plan Amendment held at the Manchester Township building. No action was taken nor were any minutes taken from either meeting.

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

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the minutes of the meeting of July 13, 2021. All members voted aye; motion carried.

Public Comments

Jennifer Campbell, 1480 Conewago Creek Road, asked why the residents of Conewago Creek Road are being forced to tap into the new sewer system. She said that there are only about 100 houses that actually need the service. Chairman Gross assured Ms. Campbell that it is not because of the warehouses, as she supposes. The Township has been working on it since 1998. Mr. Trout offered a brief explanation of the purpose of the Act 537 Plan. Ms. Campbell clarified that if she refuses to hook to the sewer system the Sewer Authority will place a lien on her property. She vehemently opposes this requirement. Chairman Gross knows it’s a hardship and confirmed that it was mandated by the state.

Mike Grothouse, Canal Road Extended, asked about any progress on DHL’s violations. Mrs. Masemer provided him with a copy of the email that she sent to DHL. She will discuss this with Mr. Grothouse after tonight’s meeting. Also, on the landscaping, Mrs. Kohler spoke with someone from the property management company to get an update on the tree planting and re-seeding. Mrs. Masemer noted that the property management company representatives have been very accommodating to the Township’s requests, and they are meeting with Mr. Trout later this week. The back side hasn’t been mowed. The pond hasn’t been draining. Mosquitos are rampant. Mrs. Masemer determined that the side of the bank

facing the residents is being maintained. Mr. Grothouse is going to the DHL side of the bank to look at the issues. Mr. Trout will provide Mr. Grothouse with a copy of the plan that Mr. Stein gave to Mr. Trout regarding the stormwater facility.

Mike Starnier, Susquehanna Lions Club, requested permission to hold the Halloween parade. Great idea! **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the request by the Lions Club to hold the Halloween Parade; to authorize a Township representative to sign the application/permission form IF a Township representative signature is required; AND to authorize the Manager to draft and send a letter of support. All members voted aye; motion carried.**

Motion by Vice Chairman Naylor, second by Chairman Gross, to release the *budgeted* \$5K for the Halloween Parade. All members voted aye; motion carried.

Emergency Services Report

Fire Chief's Report -- Chief Stevens apologized for submitting a partial report; vacation got in the way.

Northeastern Regional Police – nothing discussed at this point.

Special Request

Correspondence

YCPC Regional Significance – 480 Willow Spring Lane, Manchester Township; also possible development of 1.8 million square foot warehouse on Bear Road, Manchester Township and with that development, possible new police station on Bear Road.

Letter from Governor Tom Wolf to elected officials re: COVID Task Force. Anyone may read if interested.

Solicitor's report – Attorney Andrew Miller

- **Motion by Vice Chairman Naylor, second by Chairman Gross, to adopt Ordinance 2021-4, York County Regional Charter. Two members voted aye; *Supervisor Rudisill opposed*. Motion carried.**
- **Motion by Chairman Gross, second by Vice Chairman Naylor, to adopt Resolution 2021-9, Dissolution of the Northeastern Regional Police Department AND formation of the York County Regional Police Department AND to appoint an initial representative (Vice Chairman Naylor) and alternate (Chairman Gross) to the York County Regional Police Commission. Two members voted aye; *Rudisill opposed*. Motion carried.**
- Canal Road Betterment Committee and third-party charges – weekly calls still occurring; progress is being made on the stormwater understanding. Chairman Gross questioned the Hillwood schedule, noting that the Township is still adamant that the public improvements be completed. No permits issued until HOP is in place? When the HOP is in place, can they obtain a building permit, but not a tenant fit-out permit? It seems that the Township has indeed been quite clear to the applicants what the process must be. Is the Township standing in the way of any progress thus far? Not that Attorney Miller can see; the stormwater issue might be a small hiccup, but so far, so good. Above all, do NOT repeat the fiasco that happened with DHL. Mrs. Masemer noted that there are bills for the Project since 2018 that the Township has been paying, and some other entity should have been paying those bills. Attorney Miller reported that he has asked Erdman Anthony to include payment of the Township bills in the Addendum for the design project that Erdman Anthony is preparing. Stand by.

- Manchester Street improvement project -- change order tabled last month. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the no-cost Change Order and extend the start date until spring 2022. All members voted aye; motion carried.**
- Brunner Island soccer fields -- Talen approved the last round of changes to the lease! **Motion by Chairman Gross, second by Vice Chairman Naylor, to approve and sign the Lease for the soccer fields at Brunner Island. All members voted aye; motion carried.**
- Vice Chairman Naylor asked about the solar ordinance. Focus on the Industrial and Commercial aspect. **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize Attorney Miller, Vice Chairman Naylor, and Manager Masemer to attend the Planning Commission meeting on August 24 to discuss the solar ordinance. All members voted aye; motion carried.**

Engineer's report – Byron Trout

EPA audit – For the Board's information, Mr. Trout is continuing to provide the requested information for the audit. The latest request is a stormwater operations review/inspection plan. This is a new one for Mr. Trout to come up with, but he's on it. Also requested is the PRP plan.

Update on Mr. Dolan's property -- the Ollie's plan is now back on the table, so Mr. Trout is continuing to make progress with obtaining the desired easement to finally put Mr. Dolan's drainage issue to rest.

Comprehensive Plan Amendment for comments -- Consider authorizing Gordon L. Brown and Associates to review the I-83 Exit 26. Good idea. Mrs. Masemer will provide Mr. Trout with information.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – minutes from June 28 meeting are available for review. Vice Chairman Naylor had a question about the tap-in fees being raised. Didn't the Township provide backing for the expense with the caveat that the fees *wouldn't* be raised? It's a bit disappointing that the Township backed the Sewer Authority's project with a caveat, yet the Sewer Authority "does whatever it wants." Attorney Miller explained the nuances of the issue of tap-in fees, rate districts, etc.

Zoning Officer – nothing to add to the report; no questions asked.

Recreation Board – still no Board serving.

Statement of No Loss Letter to renew the Bonds of Barry Rudisill and Kristie Masemer -- Mrs. Masemer explained the situation. Attorney Miller suggested that the Township switch auditors every few years, but is not required by the MPC. The Board can discuss this at budget work session time. **Motion by Chairman Gross, second by Vice Chairman Naylor, to authorize the Chairman to sign the Statement of No Loss Letter. All members voted aye; motion carried.**

Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize Gordon L. Brown and Associates, specifically Byron Trout, to temporarily fill in for the Zoning Officer during her maternity leave. All members voted aye; motion carried.

Mrs. Masemer requested an *Executive Session* following tonight's meeting.

Public Works Report – Shane Haugh

Manchester Street will be closed this week and maybe next week during normal working hours. Majority of the work will be in the Borough.

How about the work on Willow Springs? Will that interfere with the new project at the old Maple Press location? No, one lane should be kept open.

Sale of leaf box for \$1,500. Mt. Wolf is fine with the agreement.

Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to sell one of the used leaf boxes to Mt. Wolf for \$1,500. All members voted aye; motion carried.

Land Development/Subdivision –

A. Gingerich property at 170 Beshore School Road; Final Subdivision and Land Development Plan

Adam Anderson was present on behalf of the applicants. Also present: Tammy and Neil Gingerich. There are two properties, both owned by the Gingerich's. They would like to reconfigure the lot lines, then remove the existing house/office space and other outbuildings. They would like to then construct a building and bring all storage indoors. Zoned Commercial. They are re-aligning the driveway to line up with Hazel Drive. Public water and sewer, onsite stormwater on Lot 2. Future access to Lot 2 is shown. No outside storage on either Lot 1 or 2. Screening will be in place as required. Mr. Gingerich noted that material deliveries are backed up, as is construction of a metal building. He will work to comply with the outdoor storage issues until (and after) the site is completed. If he has to do something temporary until materials are obtained, he will see to it.

Waivers requested:

Section 208-21.A, preliminary plan

Section 208-31.A.3.a.13, traffic impact study; traffic assessment requested.

Section 208-46.B.1, street widening

Section 208-49.B, recreation fees

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the waiver requests by the Gingerich property at 170 Beshore School Road for all for waivers requested by the Gingerich property as follows: Section 208-21, preliminary plan; Section 208-31.A.3.a.13, traffic impact study; traffic assessment requested; Section 208-46.B.1, street widening; Section 208-49.B, recreation fees. All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the Gingerich plan, 170 Beshore School Road, and address all open conditions on the Planning Commission Action Report. All members voted aye; motion carried.

B. 3620 and 3640 North George Street, Final Land Development Plan

Blaine Markle with James Holley and Associates was present on behalf of the applicants.

Previously, two lots were joined together. Now the applicants want to create a truck storage lot. Very little traffic, just storage. A traffic impact assessment was performed relative to the previous use, and the impact is extremely low for this requested use. Stormwater management – pond was put in. Manchester Township conditionally approved this plan earlier tonight. Most of this project is in Manchester Township, but a small portion lies within East Manchester Township.

Outstanding item: *on sheet 3 the buffer is dimensioned incorrectly.* Mr. Trout explained what Mr. Markle needs to do. Will do.

Mrs. Masemer asked about trash cans and restroom facilities on the property for the benefit of the truck drivers who might need such amenities. No restrooms planned. This should not be a problem, as the driver will be driving in, unhooking the trailer, and leaving. Mr. Markle will provide Mrs. Masemer with a phone number of a person to check with just to be sure.

Waivers requested:

Section 208-21.A, preliminary plan

Section 208-47.A, curbs
Section 208-47.B, sidewalks
Section 208-49.B, recreation fees

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the waiver requests for 3620 North George Street as presented: Section 208-31, preliminary plan; Section 208-47.A, curbs; Section 208-47.B, sidewalks; Section 208-49.B, recreation fees. All members voted aye; motion carried.

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the plan for 3620 North George Street subject to the satisfactory resolution of making the change to Page 3 (buffer dimension) per Mr. Trout's request. All members voted aye; motion carried.

Supervisor's comments

Vice Chairman David L. Naylor – small cell technology is fast approaching, and the Township must be aware of people working on poles, etc., and make sure the proper permits are obtained. Keep your eyes open! Also, extend Bartlett this year or wait? Chairman Gross feels that the intersection with Canal and Locust Point/the Canal Betterment Project must be addressed entirely first.

Supervisor Barry E. Rudisill – nice job on the overlay/transition to Sherman Street from Mundis Race Road. However, hope they don't damage the wearing course on Mundis Race Road when they put the steps in.

Chairman Steven H. Gross, Jr. – good luck to Mrs. Kohler with the baby, whenever he decides to present himself.

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

At 9:17 p.m., the meeting *recessed* to Executive Session.

Motion by Chairman Gross, second by Supervisor Rudisill, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:32 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary