

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**November 9, 2021**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Barry E. Rudisill; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Engineer Byron Trout; Recording Secretary, and 19 citizens. Absent: Public Works Director Shane Haugh.

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 October 12, 2021, the Board met on October 20, 2021, to discuss the budget. Also, the majority of the Board was at a meeting on October 22, at Canal and Locust Point Roads. No minutes from that meeting.

There were no additions to the Agenda.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of the regular meeting of October 12, 2021. All members voted aye; motion carried.**

The Chairman reported from the Budget discussion meeting the Township has a balanced budget, no tax increase, and copies of the Budget are available for residents to review.

**Motion by Chairman Gross, second by Supervisor Rudisill, to approve the minutes of the meeting of October 20, 2021. All members voted aye; motion carried.**

#### **Public Comments**

Mike Grotehouse thanked the Board/staff for seeing to the retention pond issue. Much appreciated.

#### **Emergency Services Report**

Fire Chief's Report – busy month in October. Fire Prevention Week was scaled back but successful. Budget preparation is in the process. It will be presented for the December Supervisors meeting. Eagle's representative Steve Trout said their budget process is underway as well. It will also be ready for the December Supervisor meeting.

Chief Stevens spoke regarding Americold's Variance request to exceed the maximum height requirement. Chief Stevens spoke to someone in another municipality where this same company is building a similar structure. Apparently, the applicant is willing to hold a tour of the facility for any interested parties. Chief Stevens admitted that the height that is planned is a bit intimidating to the volunteer fire personnel.

Parking violation fine assessment – Vice Chairman Naylor suggested \$20 as the parking violation fee across the entire area. That would make it easier for the police to issue tickets (same price for all; one set of ticket books). He will suggest this to the police board. It was noted that some municipalities charge \$10, some \$25. Chairman Gross suggested going with a \$25 fee so that there's no fee reduction for any municipality that charges \$25.

## **Special Requests**

Supervisor-elect Darryl Albright requests that the Township pay to send him to the PSATS Bootcamp course. **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize the expenditure of NTE \$219 to send Mr. Albright to the course. All members voted aye; motion carried.**

Phil Woods was present to request permission to create a disk golf course at Dauberton Park. He thanked the Supervisors for the permission to renovate the baseball fields at Rudy Park. That all worked out quite well. For the disk golf course possibility, it would be nice to install a course locally. It's not a high-cost or high-impact sport, so all residents and age groups could benefit. He provided a map with a sketch plan of the proposed course. Greg Easton was also present; he has experience with a course in Dover. He spoke to the ease of maintenance that the course would entail. Mrs. Masemer reported that Public Works Director Shane Haugh is in favor of this proposal and thought perhaps the road crew could help install some of the concrete pads. Mr. Easton reported that safety is foremost to any of the disk golf players. Brush and some small trees will need to be removed; the group will plant replacement trees at another location. This entire project would cost less than \$10K. He's asking for permission to install the course; add a kiosk for maps, etc.; use recreation funds to accomplish; the Township to continue the mowing; and the Township to dig the holes and install the concrete slabs. Plus, the Board members should show up for the grand opening celebration!

Supervisor Rudisill fears vandalism. Mr. Easton noted that the baskets are quite heavy. The concrete pads should be relatively safe. The signs, if damaged, are easily replaced/repared. More people using the park could result in more exposure and better patrol of the area, thereby preventing vandalism. Also, trash is not a problem. The disk golf community is a "pack in, pack out" group.

Mr. Woods is interested in serving on the Recreation Board! He might know a few others who might be interested in serving as well. Good news indeed!

**Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the request by Mr. Woods, and to provide Township funds NTE \$12,700, payable to the vendors identified by Mr. Woods. All members voted aye; motion carried.**

Codorus Quarry – Mundis Race Road street trees -- Mr. Trout reported that the applicant is requesting to leave some existing trees on the site and plant the required street trees somewhere else on the site. He feels that he can collaborate with the applicant to pick and choose which trees to remove and which ones to leave alone. The applicant is planning some sort of evergreen trees as the planting. Supervisor Rudisill wants the applicant to remove the underbrush and weedy mess that is there already. Good idea; Mr. Trout will present to the applicant. Mr. Trout noted that the ordinance requires the trees to be within a certain number of feet from the street, which places them under the power lines. Staff will determine which existing trees should stay and any trees that should be removed will need to be replaced per the plan. Location to be determined by staff.

Exonerations for Core5 at Codorus Creek Ph. I LLC

Map LI-parcel 56

Map LI-parcel 56C

Map LI-parcel 56D

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to exonerate Core5 for overpayment of taxes in the amount of \$2,098.85 for the above parcels. All members voted aye; motion carried.**

Manchester Borough requests that the Township pay a share of Workers Compensation Insurance policy for the Union Fire Company and invoice Kocman Insurance acting as the SIF representative for a total of \$8,345.37. **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize the payment of \$8,345.37 to Manchester Borough for the Township's portion of the Workers Compensation Insurance cost. All members voted aye; motion carried.**

4061 Board Road release of fire insurance escrow in the amount of \$24,493.37. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to issue \$24,493.37 in fire insurance escrow funds to the property owner at 4061 Board Road. All members voted aye; motion carried.**

Hillwood Properties – property at Canal and Locust Point Roads -- request to issue retaining wall permit and request to approve and execute the Final Subdivision and Land Development Plan, the Development and Financial Security Agreement, the Stormwater Facilities Maintenance and Monitoring Agreement, and to approve the developer's Declaration of Easement, Covenants, Conditions, and Restrictions.

Chris Fencel was present on these requests. Attorney Miller reported that PennDOT accepted the information that Erdmann Anthony provided, so progress is being made. He suggested that the Board provide any feedback or comments and then the last bits could fall into place. Hopefully, the last pieces can be signed and approved quickly after all the revisions have been made. Attorney Ron Lucas gave an update on the Agreements. Hopefully, at the December Board meeting, all Agreements can be signed and approved.

Vice Chairman Naylor reviewed all the documents and agrees with the changes, etc.

Any comments from the Board, please see that Attorney Miller gets the information as soon as possible to keep this process moving, now that there's been some good progress. Will do.

**Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to grant Hillwood the land-use permit for the retaining wall. Two members voted aye; *Chairman Gross opposed*. Motion carried.**

Vice Chairman Naylor noted that there's a lot of dust in the air when blasting is going on. Mr. Fencel will re-check the water use to reduce the amount of dust.

Dean Kohr, 1700 Canal Road, asked how soon construction might begin. All depends on the permit process, so it will take at least 90 days. Construction likely to begin in earnest next spring.

From Vice Chairman Naylor, FYI there are at least six to eight school buses that use that route, so when work begins, the developer will need to work with the school district to re-route them. Understood.

Mike Grotehouse asked about the rerouting of traffic during construction.

Chairman Gross re-emphasized the necessity of Hillwood's improving the road at the small section in question (being Locust Point Road to Canal Road).

Regarding the bills that the Township has paid to the Solicitor's and Engineer's firms, the Township will begin forwarding the bills to Erdmann Anthony and back bill from what the township has already paid for the Canal Road Betterment Project.

## **Correspondence**

Northeastern Senior Community Senior Center – thank-you letter and report

YCPC – Development of Regional Significance within Newberry Township; Old Trail Road and I-83 Corridor.

YCPC – Development of Regional Significance within Springettsbury Township; Radio Road 50+ single-family home development

Liquid Fuel Fund reductions possible

Tipping fee for the County is increasing, which will affect the Township's rates to the residents.

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

- **Motion by Chairman Gross, second by Vice Chairman Naylor, to adopt Resolution #2021-11, Amended and Restated Pennsylvania Township Health Insurance Cooperative Trust.**
- **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to adopt Resolution #2021-12, Tax Rate Resolution. All members voted aye; motion carried.**
- **A Public Hearing** was convened for purposes of discussion the proposed Solar Ordinance. Attorney Miller noted that the York County Planning Commission did not review the proposal yet. He recommends adopting the Ordinance tonight, since it was advertised for adoption/public hearing tonight. Any YCPC recommendations can be incorporated later. No one spoke in opposition nor in favor of this ordinance. Hearing closed. Vice Chairman Naylor feels that this is proactive to have on the record for the Township. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Ordinance #2021-5, Solar Farm Ordinance. All members voted aye; motion carried.**
- York County Regional Police Charter document and email – it appears that the other municipalities will be approving this document. This will be on the Board's Agenda for December.
- Canal Road Betterment Committee – discussed earlier.

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

Northern Heights Bioretention Area 2, supplying materials – no one was present on this. The Township said to remove the BMP; the County would like it to be restored. Now what? The Township isn't going to restore it, as the removal was included in the approved plan.

Mr. Trout tried to contact Mr. Dolan again, to no avail. Mr. Trout just wants to update him on the state of the project.

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

*Sewer Authority* – minutes are available. Area 2 residents are asking what they need to do with their septic tanks after hooking to the public sewer. The Township SEO knows of no actual ordinance or law to require collapse/fill/inspection of any tanks in the Area 2. Therefore it appears it is not required, but highly recommended to fill. Board agrees to not make the Area 2 people incur any more financial outlay for inspections of the recommendation from the Township SEO.

*Zoning Officer* – ZHB meeting November 18, 2021; Planning Commission meeting November 23, 2021. From the audience, Robert Nace asked Mrs. Masemer about the cancellation of the October Planning Commission meeting (no quorum). He wasn't happy that someone gave Mrs. Masemer flak about cancelling that meeting.

*Recreation Board* – no board serving at this time

*2022 Audit bids* – received one bid, from H & M. The price is lower than the current company is charging: \$8,475 for the first year, \$200 increase per year after that. This must be advertised. **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize Mrs. Masemer to advertise that the Board is planning to accept the proposal of H & M as Township Auditor at the reorganization meeting. All members voted aye; motion carried.**

*2022 Animal Control Contract* – retainer of \$425 – **Motion by Vice Chairman Naylor, second by Chairman Gross, to enter into a contract with Klugh Animal Control for 2022. All members voted aye; motion carried.**

The latest census data says that there are 8,337 people in the Township.

FYI – the new directory and map are ready! There will be some changes for 2022. Extra copies are available, and the documents are posted on the website.

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

East Manchester Township building remodel and renovations **design** using Lobar for \$113,710.00. Vice Chairman noted that this price is all-inclusive. This project would come out of 2022 funds, not 2021's. A grant writer needs to be approved to obtain some funding for this project. Does Supervisor-Elect Darryl Albright agree with the proposal? Yes. **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize Lobar Associates to begin the design of the building remodel for \$113,710.00, using budgeted 2022 funds. All members voted aye; motion carried.**

Maple Press property in Manchester Township – curbs and sidewalks – traffic to come out onto Willow Springs Road. Will the applicant need a highway occupancy permit? Yes. Do they need to submit an official LDP so that the Township can decide on curbs and sidewalks and be aware of other details? Yes. The Manager and Solicitor will work together on a letter of request. Chief Stevens reminded the Board of the four-way intersection in that area.

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

60 Steamboat Boulevard (Americold) – continued request for Variance to exceed maximum height in the Industrial Zoning District

Doug Karmel, VP of Global Development for Americold, was present with Carla Jeffries and also Maria Elliott of Barley Snyder. Mr. Karmel gave an overview of this business. Americold stores frozen or cold food for suppliers. The site at 60 Steamboat is to be expanded. The building proposed is a tall building attached to or near the flat building that is already existing. The applicant plans to use local labor and local supplies and to use local businesses (hotels, restaurants, gas stations, stores) during the construction phases.

The application proposes a building that is in excess of the maximum height requirement in the ordinance. The original application was for 150' high; perhaps the applicant can get it down to 125'.

Mr. Karmel noted that the building would use a synthetic freon, not ammonia, as the refrigerant. All hazardous materials are kept outside the building, not inside. He also noted that there is one residence in the area whose occupant would have a view of this building. It was noted that the company is in discussions with the resident to see if relocation is an option. The issue with the building height partly lies with the fire department's inability to properly access the building in the event of a fire. The Township does not have the appropriate equipment to fight a fire in the top areas of this building. The applicant understands that an impact fee or special assessment may be assessed if necessary. The applicant is looking to purchase one or more adjoining lots to improve the access drive. How about lighting? None at the top; any lights would be shielded. No warning lights are required for the top of the building. The offer was extended to hold a tour of the Lancaster County facility. It was noted that there's to be a second access.

Attorney Miller wants guidance – should he or his representative attend the ZHB meeting to oppose this application? Or if the Board is amenable to any of the issues, let Attorney Miller know so that he can know how to handle the ZHB meeting. It was noted that there is already some issue with some truck parking. The Board already voted to oppose this application. Chief Stevens is planning to attend the ZHB hearing. Residents are interested in attending as well.

Supervisor-Elect Albright asked if there's a conflict of interest with his serving on the Zoning Hearing Board and being a Supervisor next year. He won't be able to serve on both, so when he takes office as a Supervisor, he will need to resign from the ZHB, per Attorney Miller.

**Supervisor's comments**

*Vice Chairman David L. Naylor* – How's it going with the illumination of DHL's sign? No answer yet. Businesses must illuminate their signs at night. The borough is interested in the Township taking over the playground. They should formally request. More recreation is needed in the Township for sure, so the disk golf proposal is right on time.

*Supervisor Barry E. Rudisill* – Supervisor Rudisill is concerned that one Township staff member should never be in the building alone.

*Chairman Steven H. Gross, Jr.* – Nothing at this time.

**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 Supervisor Rudisill, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 10:01 p.m.

Respectfully submitted,

Kristie Masemer  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary