

EAST MANCHESTER TOWNSHIP
Board of Supervisors
December 14, 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; 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 7:00 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 November 9, 2021, the Board met December 6, 2021, to discuss the Township building project. There are minutes from that meeting.

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

Correction to the minutes of November 9, 2021. On Page 3, under Correspondence, it should read “Northeastern Community *Senior* Center,” not *Senor* Center. **Motion by Supervisor Rudisill, second by Vice Chairman Naylor, to approve the minutes of the meeting of November 9, 2021, as amended above. All members voted aye; motion carried.**

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to approve the minutes of December 6, 2021. All members voted aye; motion carried.

Public Comments

Ed Hewitt spoke about a “gigantic blast” recently; some stones fell out of his barn. The person he contacted denied this supposed blast. Chairman Gross said that his wife reported that their home shook. Chris Fencel noted that the blasting should be finished at the end of this month. Mrs. Masemer said that another resident (1180 Canal Road) contacted Mr. Jeff Bloom, Douglas Explosives, about blasting because one of their windows cracked. It was also noted that Mr. Hewitt’s field ground water has changed because of the DHL blasting.

Chris Irwin spoke about the police issue. He referred to a recent case involving kidnapping, etc., noting that there are some problems with the investigation. He’s concerned about East Manchester Township’s liability. He requested that the Board pause this merger pending the outcome of the investigation. Apparently, Chief Damon is under investigation, and that concerns Mr. Irwin. Supervisor Rudisill offered that it might be prudent to postpone until the Attorney General concludes the investigation, just to protect the Township. Vice Chairman feels that a postponement may be premature. Chairman Gross noted that this is indeed bad timing, but it’s not as simple as just postponing the whole deal. Both of the Boroughs would need to agree to a postponement to ensure police coverage as of 1/1/22.

Dean Kohr asked if this could be deemed “prior to the incident” so to speak, thereby removing the Township from any threat of liability. Attorney Miller gave details on the insurance policy that will be in place. He also noted that the Agreement and other documents have been signed. The new police board would need to discuss whether a postponement is appropriate or possible. Vice Chairman Naylor noted that additional insurance will be taken on the prior police board members. He feels it’s too far along to postpone.

Emergency Services Report

Fire Chief's Report -- Chairman Gross noted that Mt. Wolf did indeed submit a report this month, for which he was grateful.

Commonwealth of Pennsylvania Department of the Auditor General Bureau of Firefighters' Relief Audits – An audit will be done of the Volunteer Firemen's Relief Association of Eagle Fire Company No. 1, Mount Wolf, Pennsylvania. Mrs. Masemer contacted the authority, who said that "it's not as bad as it looks." Apparently, the company needs to show proof of a bank deposit. Mrs. Masemer informed Chief Busch and Chief Stevens of the process and the information requested.

Special Requests

York Road Runners – This year, the entire run will take place in John Rudy Park. The only Township road that would be affected will be Mundis Race Road, just for the runners to cross and get into the park. **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to permit the York Road Runners to hold the annual January five-mile run at John Rudy Park. All members voted aye; motion carried.**

York County Rail Trail Authority – **Motion by Chairman Gross, second by Supervisor Rudisill, to authorize the Municipal Level Membership renewal donation of \$500. All members voted aye; motion carried.**

Motion by Vice Chairman Naylor, second by Chairman Gross, to approve tax exonerations totaling \$191.77, as follows: 355 Long Road, \$16.20; and 972 Canal Road Extended, \$175.57. All members voted aye; motion carried.

Correspondence

The Township received a letter from York County Planning Commission indicating a development of regional significance in Springettsbury Township--Heritage Hills redevelopment. Three hundred three homes are planned. Information is available to review if anyone wants to see.

Solicitor's report – Attorney Andrew Miller

- Chairman Gross read a Resolution honoring Supervisor Rudisill for his 36 years of service to the Township. This is Supervisor Rudisill's last meeting as a Board member. Chairman Gross also presented a certificate and a plaque to Supervisor Rudisill. The meeting recessed at 7:30 or so for celebratory snacks and well-wishing. At 8:06, the meeting reconvened.
- York County Regional Police Charter document – deed and bill of sale – **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize the Chairman to sign the bill of sale, transferring the property of the Northeastern Regional Police Department. Two members voted aye; Rudisill opposed. Motion carried. Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize the Chairman to sign the deed to title the police building to the York County Regional Police Department. Two members voted aye; Rudisill opposed. Motion carried.**
- Canal Road Betterment Committee -- Attorney Miller reported that discussions are continuing. The Agreement is still in the works to be finalized.
- Hillwood Properties – Attorney Miller discussed the property at Canal and Locust Point Roads and updated the Board on the progress on each of the following: Developer's Agreement; Stormwater Agreement; Declaration of Covenants, Conditions, and Restrictions; and Escrow Agreement. Chris Fencel reported that the Developer's Agreement should be wrapped up within the next two weeks. It was noted that DHL is looking to withdraw from some of its obligations.

Chairman Gross cautioned everyone to remember how DHL promised to deliver on several items, and their compliance been less than satisfactory. Attorney Miller reported that there is a substantial bond in place for such a situation. The stormwater escrow fee and Canal Road Betterment invoices the Township paid are still outstanding from Hillwood. All other fees and bond have been delivered to the Township. Again, the problem is that the engineers haven't presented a design for the road, which is why the road hasn't been improved. The applicant is trying to get a partial PennDOT permit to do at least part of the work to get the ball rolling. Attorney Miller reported that Hillwood has withdrawn its request to get occupancy permits before the improvements are made. **Motion by Vice Chairman, second by Supervisor Rudisill, to approve the stormwater agreement for Hillwood. Two members voted aye; Chairman Gross opposed. Motion carried.**

- **Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to adopt Resolution #2021-13, adopting portions of ROW along Northeast and Southwest sides of Locust Point Road (SR 1021) and the northwest and southwest side of Canal Road (T-940). All members voted aye; motion carried.**

Engineer's report – Byron Trout

Today Mr. Trout met with Kinsley on Mundis Race Road regarding the trees, existing and future. The alignment seems satisfactory to everyone.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – Minutes are available for review.

Motion by Vice Chairman Naylor, second by Chairman Gross, to accept, with regret, the letter of resignation of Brittany Kohler, Zoning Officer, effective November 30, 2021. All members voted aye; motion carried.

Motion by Chairman Gross, second by Vice Chairman Naylor, to appoint Kelly Helsel as the Township Zoning and Codes Enforcement Officer, effective December 20, 2021. All members voted aye; motion carried.

Motion by Chairman Gross, second by Vice Chairman Naylor, to accept, with regret, Darryl Albright's letter of resignation from the Zoning Hearing Board. All members voted aye; motion carried.

Zoning Officer – No December Zoning Hearing Board meeting. No December Planning Commission meeting.

Recreation Board – currently no Board members are serving.

Motion by Chairman Gross, second by Supervisor Rudisill, to adopt Resolution 2021-14, permitting the Transfer of Unencumbered Monies.

- (a) \$ 1,000.00 from Account # 01.400.740 (General Government Capital Expense) to Account # 01.400.390 (Bank Fees).
- (b) \$ 100.00 from Account # 01.400.740 (General Government Capital Expense) to Account # 01.402.115 (Auditors).
- (c) \$ 10,000.00 from Account # 01.400.740 (General Government Capital Expense) to Account # 01.414.313 (P/Z-Engineering).
- (d) \$2,000.00 from Account # 01.400.740 (General Government Capital Expense) to Account# 01.486.158 (Life Insurance).
- (e) \$1,300.00 from Account # 01.400.740 (General Government Capital Expense) to Account # 01.486.157 (Dental Insurance).

All members voted aye; motion carried.

Motion by Vice Chairman Naylor, second by Supervisor Rudisill, to accept the SPCA's contract for 2022 in the amount of \$3,849.92. All members voted aye; motion carried.

FYI and for review: The Township received a proposed contract for Solicitor (MPL) for 2022.

Mrs. Masemer presented an amendment to the Budget: move \$2K to Dental, leaving a balance of \$221 in Unappropriated Funds. **Motion by Chairman Gross, second by Supervisor Rudisill, to move \$2K from Unappropriated Funds to the Dental account #487.157, decreasing the Unappropriated Funds balance from \$2,221, to \$221, and increasing the Dental balance from \$8K to \$10K, which still results in a balanced budget and no tax increase; AND to adopt the proposed 2022 Budget as amended above. All members voted aye; motion carried.**

Motion by Chairman Gross, second by Vice Chairman Naylor, to adopt the 2022 budgets: General Fund, Street Lighting Fund, Fire Hydrant Fund, Recreation Fund, State Liquid Fuels Fund. All members voted aye; motion carried.

Discuss the 2022 fee schedule as presented at the Reorganization meeting on Monday, January 3, 2022. The Reorganization meeting will take the place of the regular meeting in January. If necessary, the Board will meet on January 26, 2022.

Mrs. Masemer reported that Americold, 60 Steamboat Boulevard, obtained the Variance from the ZHB for the 150' building height with several conditions. Conditions on the approval:

- *Parking issues need to be solved prior to any construction
- *Provide/upgrade secondary access
- *No lights on top two-thirds of the building
- *Meet Township's line of sight ordinance requirements
- *Must have on-site emergency plan coordinated with local authorities

Also, 131 Riverview Drive also obtained a variance to add accessory structures.

Chairman Gross noted that there are member and alternate positions open on the Zoning Hearing Board. Also, need Recreation Board members.

Public Works Report – Shane Haugh

Mr. Haugh did keep track of the tons of leaves that the Township collected, but those numbers are not available at this meeting.

Road survey will be done late February, early March, so that the Board members can see the roads and the work planned.

Termination of Shiloh Paving contract -- **Motion by Chairman Gross, second by Vice Chairman Naylor, to terminate the Shiloh Paving for Manchester Street until the sewer work is completed. All members voted aye; motion carried.**

Grant Writer Consultant Agreement – FYI for the Board members to review.

Land Development/Subdivision –

Ollies Warehouse expansion – Final Land Development Plan, project #320137.00

No one was present on this plan. Nothing discussed. No action taken.

I-83 Exit 26 Land Use Plan – Comprehensive Plan Amendment Schedule

The Planning Commission recommended approval. YCPC is reviewing the proposal now. This will likely be before the Board in February.

YCPC Comments on the EMT Zoning Ordinance Amendment regarding solar energy systems

The Board already approved this ordinance. YCPC also recommended that the Township approve the ordinance.

Supervisor's comments

Vice Chairman David L. Naylor – Thank you to Supervisor Rudisill for his service. Welcome to the new Board member, Darryl Albright. Mr. Albright should participate in the Betterment Committee conversations. New call numbers in effect at midnight tonight.

Supervisor Barry E. Rudisill – none at this time.

Chairman Steven H. Gross, Jr. – Thanks to Supervisor Rudisill indeed. He's made a positive difference.

Motion by Chairman Gross, second by Vice Chairman Naylor, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary