

EAST MANCHESTER TOWNSHIP
Board of Supervisors
April 12, 2022

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Darryl Albright; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Kelly Helsel; Recording Secretary, and 10 citizens.

At a regular meeting held at the Township building, Chairman Steven H. Gross, Jr. called the meeting to order at 7:01 p.m.

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

There were no changes to the advertised Agenda.

Chairman Gross disclosed that the Board met on March 4 for a special meeting regarding the Township Building project; they met for the regular meeting on March 8, 2022; and the Board also met on April 1 for another special meeting regarding the Township Building project. The Board also met in Executive Session prior to tonight's meeting. At that pre-meeting, discussion was held on the Canal Road Betterment Project and pending litigation.

Motion by Vice Chairman Naylor, second by Supervisor Albright, to approve the minutes of the meeting of March 4, 2022. Two members voted aye; Chairman Gross *abstained*. Motion carried.
Motion by Chairman Gross, second by Supervisor Albright, to approve the minutes of the meeting of March 8, 2022. Two members voted aye; Vice Chairman Naylor *abstained*. Motion carried.
Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the minutes of the meeting of April 1, 2022, plus the follow-up minutes from the Lobar meeting. All members voted aye; motion carried.

Public Comments

Mike Grothouse, Canal Road Extended, reported that lights are still a problem on the DHL building. A/C units are getting louder. Truck noise is increasing. Hill behind his property is only partly attractive with grass. Can anyone do anything? Also, he's heard that the police presence is better; a good thing. RE: DHL's lights, Mr. Trout met with the company and a solution is in the works. There's to be a plan and a schedule for completion. Also from Mr. Grothouse, there was a lot of garbage up against the wall.

Emergency Services Report

Fire Chief's Report -- Chief Stevens reported that there's been an influx of new members, but their turnout gear is backordered. Also, the turnout gear for the current members is set to expire next year, and the chief can't order more until the current gear is expired, so he can't order ahead now to take the backorder issue into account. Also, the fire company is having to rethink some of the fundraisers that they normally do. On a positive note, the "Chill and Grill" fundraiser is doing well! Also, Chief Stevens was asked to do an inspection at Giant for the electric car charging station. While the stations are installed up to code, the third-party vendor doesn't treat these chargers "any different than a light bulb," and Chief Stevens is concerned about the charging of lithium batteries; a vehicle fire with one of those batteries takes much more water and man-hours to extinguish. Further, the store's breaker panels (for emergency shutoff at the charging station) are not marked, so finding the involved breaker would take a fair amount of time. Chief Stevens urged some sort of Township governance regarding the installation of

the chargers. Vice Chairman Naylor asked if the fire department treasurer is a volunteer (yes). He was impressed with the depth and detail of the report.

Bob Kramer noted that their membership mailing is to be mailed shortly. They're a bit short-staffed, but they're managing it.

Northeastern Regional Police -- minutes are available. The next meeting is Thursday, April 14, at 33 Oak Street, Dallastown, 6 p.m. The May meeting is to be held at Northeastern. Vice Chairman reported that a therapist works with the officers to help with tricky situations such as teen suicide, etc. This person takes this work off of the officers so that they can remain on duty on the streets. Mr. Kramer agreed that this therapist is "amazing."

Special Request

Lancaster Conservancy requests grant support to the DCNR Community Conservation Partnership Program; 1,066-acre property in both East Manchester and Hellam Townships

Kate Gonnick was present on behalf of the Lancaster Conservancy to request a letter of support for a project involving 70 acres in EMT. The Conservancy wants to acquire the land to open it to the public as a recreational site forever. Supervisor Albright agreed that the Lancaster Conservancy is certainly a good steward of the land.

Motion by Supervisor Albright, second by Vice Chairman Naylor, to draft and sign a letter of support for the Lancaster Conservancy project referred to above. Two members voted aye; Chairman Gross opposed. Motion carried.

Correspondence

YCPC --- Development of Regional Significance in Manchester Township; Susquehanna Trail Apartments Land Development Plan, 1400 Susquehanna Trail North; 267 dwelling units

Solicitor's report – Attorney Andrew Miller

- A Public Hearing was convened at 7:39 p.m. for discussion of Ordinance 2022-2, Act 97 of 2021 Amendments to the SALDO. No member of the public spoke either in favor of or in opposition to this Ordinance. Public Hearing closed at 7:39 p.m. **Motion by Vice Chairman, second by Chairman Gross, to adopt Ordinance #2022-2, Act 97 of 2021 Amendments to SALDO. All members voted aye; motion carried.**
- Vice Chairman Naylor reported that the school district has opted not to participate in the LERTA program. This ordinance keeps that option/offer open for the Township's presentation. A Public Hearing was convened at 7:46 p.m., for discussion of Ordinance 2022-3, LERTA Resolution and Ordinance Amendment. Dean Kohr, Canal Road Extended, clarified the conditions of the LERTA process. No one spoke either in favor of or in opposition to this Ordinance. Hearing closed at 7:49 p.m. **Motion by Chairman Gross, second by Supervisor Albright, to adopt Ordinance #2022-3, LERTA Resolution and Ordinance Amendment. All members voted aye; motion carried. Motion by Chairman Gross, second by Vice Chairman Naylor, to set the \$750 fee for a LERTA application into the Township fee schedule. All members voted aye; motion carried.**
- Municipal Waste bid specs -- Attorney Miller presented a new bid package for a three-year term. If this bid package is approved this evening, the process will be advertised, bids would be received/opened on May 9 at noon/12:30; contract awarding would be at the May 10, 7 p.m. meeting. Attorney Miller gave some details of the bid package. *Add language concerning tag-a-bag supplies and an estimation of how many bags should be included.* Also, bags will be purchased from the contractor, not the Township. **Motion by Vice Chairman, second by**

Supervisor Albright, to approve the bid specs for the municipal waste contract, adopting Resolution 2022-7. All members voted aye; motion carried.

- Plaza Drive Ordinance -- this ordinance will create two-way traffic on Plaza Drive with a two-way stop at Loucks Road AND prohibit trucks AND will provide signs to this effect. **Motion by Vice Chairman Naylor, second by Chairman Gross, to authorize the Solicitor to advertise the ordinance creating two-way traffic on Plaza Drive. All members voted aye; motion carried.**
- Repeal of Police Ordinance -- the Board needs to formally repeal the previous police ordinance. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to authorize the Solicitor to prepare and advertise the ordinance repealing the previous police ordinance. All members voted aye; motion carried.**
- Small Cell Wireless Ordinance -- this ordinance would regulate the 5G antennae that will likely be installed within the Township. Attorney Miller urged the Board to use the Cohen Law Group for this ordinance preparation, as that's what this firm does, and it does it well. Vice Chairman Naylor wants to be proactive in this matter, but he needs more time to read and review this ordinance proposal. Time granted.
- Canal Road Betterment Project -- Attorney Miller gave an update on this project. PennDOT is contributing more funds for the I-83 bridge for the project. It was noted that Hillwood is moving forward with its improvements on Locust Point Road.

Engineer's report – Byron Trout

Dolan property – Work was to have begun a week ago, but it's been too wet to move heavy equipment onto the site. Stand by.

Rolling Meadows garbage strewn about has been picked up. Working on the erosion issue in that meadow. Silt fence will be checked tomorrow. Chairman Gross requested that Mr. Trout devote a bit more time to this issue. Curb work to begin on Dellinger Road; 8" high curbing? Yes, please.

York County Transmission Update -- nothing discussed.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – no comments.

Zoning Officer –

Zoning Hearing Board meeting on April 28, 2022. This case involves 80 Hollyhock, application to exceed maximum lot coverage (35%); applicant wants to go to 41%. Does the Board want Mrs. Masemer to attend that meeting to oppose the request on behalf of the Township? Coverage of 41% would be 639 square feet over the maximum permitted, which Mrs. Masemer feels is excessive. Yes, please, attend the meeting on behalf of the Township in opposition to this application. Also on the ZHB agenda is 285 Steamboat Boulevard, Americold Company, is on the agenda regarding additional parking (Special Exception). Kudos to Ms. Helsel for a good job.

Tentative Planning Commission meeting on April 26, 2022.

Planning Commission alternate member(s) -- Mrs. Masemer reported that Bob Nace isn't interested in serving another term on the Planning Commission after the end of this year (2022) when his term expires. It might be a good idea to identify at least one alternate member (can have up to three) for the Planning Commission at this time, with the idea that someone might be appointed as an official member after Mr. Nace's retirement. This would need to be done by Resolution. Two people have already voiced interest in serving as an alternate. The Resolution will be prepared with blanket language appointing up to three individuals as Alternates. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to authorize the Solicitor to prepare the Resolution to identify up to three**

alternates, naming Troy Rentzel and Herb Nix as alternates with the option for identifying one other person. All members voted aye; motion carried.

Recreation Board – It was noted that the April meeting was cancelled; will meet again on May 4, 7 p.m.

Motion by Chairman Gross, second by Supervisor Albright, to appoint Abbey Latchaw as Deputy Tax Collector, per the recommendation of the current Tax Collector. All members voted aye; motion carried.

Chairman Gross reported that the Tax Collector has informed him that the Township has been collecting the Fire Hydrant Tax incorrectly since it was approved in 1991. Starting in 2023, this will be collected properly, in accordance with the ordinance that is already in place. Or re-write the ordinance to conform to the current practice. Stand by.

Public Works Report – Shane Haugh

Street sweeping to begin in May.

Mr. Haugh reported that the proposed truck price went up by approximately \$4,575.00, but it's locked in now. The truck and bed were approved last month. The Board agreed that no additional motion is needed as the board approved in consensus.

Quotes for a backhoe from the 2022 budget; **Motion by Supervisor Albright, second by Chairman Gross, to approve the purchase of the Case backhoe for \$98,500, with 41K trade-in from Groff Tractor & Equipment (Costars supplier). All members voted aye; motion carried.**

Township building and grant money – the grant writer would like to present options for a grant for the addition/rebuild. One option would be for a remodel and one for a rebuild. Lobar would do a conceptual drawing and budget for a new building for \$4,407.48. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to spend the money for the plan and budget for the new building. Two members voted aye; Chairman Gross opposed. Motion carried.**

Land Development/Subdivision –

The March 22, 2022, Planning Commission minutes are available for review.

Final Land Development Plan and Agreement for Sue Ellis and Renee Frey, plan number 22-0116-001

Josh George and Sue Ellis were present on this subdivision to create two lots. THE ZHB granted approval to permit Ms. Ellis to construct another house on one lot with the condition that the original house be demolished within six months of the Certificate of Use and Occupancy of the new house. She has since decided to subdivide the lot, having a house on each lot, rendering the Zoning Hearing Board decision obsolete. The Planning Commission reviewed this plan and recommended approval with a few open items: signatures; change to driveway configuration drawing. Waivers requested: §208-21.A Requiring a Preliminary plan; §208-47.A & B Curbs and Sidewalks on Jerusalem School Road and Horseshoe Bend Road with removal of the six month note from the plan; §208-46.B.1 Street Widening on Jerusalem School Road and horseshoe Bend Road; §208-46.B.2 Street Dedication for Horseshoe Bend Road; and §208-46.J Shared access drive. The Planning Commission recommended approval of the waivers. Mrs. Masemer noted that if the applicant were to be made to grant additional ROW on Horseshoe Bend, the non-conforming structures would be made even more non-conforming and would make conforming structures non-conforming.

From the Gordon L. Brown letter dated March 7, 2022, open items are 3B, Signatures (208-34.B.17-18) and 4, The correct configuration of the driveway for the residence on Lot 1 should be shown and dimensioned on the plan. If serving both lots, the driveway is required to be twenty feet wide (s.208-

48.G.3.a); YCPC comments are incorporated in the GLB letter.

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the waiver requests for Sue Ellis and Renee Frey as requested above. All members voted aye; motion carried.

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the final subdivision plan for Sue Ellis and Renee Frey subject to the satisfactory resolution of the following open items from the Gordon L. Brown letter dated March 7, 2022: signatures (208-34.B.17-18); driveway change (s.208-48.G.3.a); developer's agreement for shared drive; two confirmatory deeds; and rec fee of \$1600. All members voted aye; motion carried.

Supervisor's comments

Vice Chairman David L. Naylor – on April 30, cornhole tournament at old Gold's Gym to raise money for new police dog for the school. RE: Giant parking spots – check on the reserved parking spots there, and work on an ordinance for electric vehicle charging. Hillwood has informed residents on Canal Road Extended that they will be offering house pressure washing in June. PennDOT was laying fresh blacktop on Canal Road...in the work zone. Zoning and Codes enforcement is the backbone of a Township; it's shocking what kinds of things one sees in the absence of such enforcement.

Supervisor Darryl Albright – took the online course from PSATS.

Chairman Steven H. Gross, Jr. – nothing at this time.

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

Motion by Chairman Gross, second by Vice Chairman Naylor, to adjourn to a brief Executive Session. All members voted aye; motion carried. The meeting adjourned at 9:07 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary