

EAST MANCHESTER TOWNSHIP
Board of Supervisors
August 9, 2022

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Darryl Albright; Attorney Cory Dillinger; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Kelly Helsel; Recording Secretary, and 18 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.

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

Chairman Gross disclosed that since the meeting of July 12, 2022, most of the Board met on Friday, August 5, for a road inspection at Locust Point Road and Canal Road. Also on August 8, the DHL agreements/releases were discussed in Executive Session with the Township Solicitor.

Motion by Supervisor Albright, second by Vice Chairman Naylor, to approve the minutes of the meeting of July 12, 2022. All members voted aye; motion carried.

Public Comments

Anthony and Stephanie Hall, 420 North Burberry Lane, relayed a story of fireworks in their neighborhood that are set off very loud and very often. The noise shakes their house. They have a service dog in training who is extremely agitated by this activity. The display is between 1 and 2 hours long, and they must leave their house because neither Mrs. Hall (with PTSD) nor the service dog can tolerate this noise. The decibel level is past the point of hearing loss. Plus, when they went to leave, the roads are blocked with vehicles and people attending the "show." She is concerned about the effects on herself, other veterans with PTSD, the dog and other animals, plus local wildlife. She feels she shouldn't have to leave her home because of this activity. Mr. Hall reported that this is the third year this has occurred. He's not talking about the occasional fun time with a fireworks celebration or two at various times. They did contact the police about the activity. He noted that the police officers aren't equipped with testers to measure the decibel level, so it's hard to prove the levels. He was told to contact the legislators about this issue. This happened on July 2. Vice Chairman Naylor noted that the police can only enforce the state law that is in place. The Halls requested that the existing noise ordinance be changed in some way.

Jerome Leisher, 210 Abby Drive, spoke, admitting that he is the person who hosts the fireworks display to which the Halls were referring. He asserted that the activity lasts about 30 minutes. He'd like the ordinance to remain the way it is, as they are in compliance with the state law. Mr. Leisher reported that he is a licensed pyrotechnic. He said that safety is their priority. They watch the weather, ensure that people are far enough back from the display, have water readily available, and follow strict safety rules. He advertised the date and time of the activity so that neighbors are aware of what's going on so they can act accordingly. He does purchase large fireworks but nothing of professional grade. Many friends and neighbors contribute financially toward this activity. Mr. Leisher disagreed with the Halls' saying that the road was blocked. He said that this year, there were two police officers in attendance with no issues found.

Chairman Gross asked Sargeant Shaffer about the police attendance that evening. Sargeant Shaffer said that two officers were in attendance because Mrs. Hall told the police that this activity would

be occurring. The officers did not find any evidence of any vehicles blocking the road. The officers on scene verified that the display lasted about 35 minutes. This can be corroborated on the app that Mr. Leisher offers for anyone to view.

Supervisor Albright asked if anyone in the police department is trained on the decibel meter. No, nor does the department have one and like all areas of special enforcement someone would have to be trained and hold certification for the sound level data to be upheld in court.

Vice Chairman Naylor reported that he asked the Chief of Police if there's anything the municipalities can do to help the officers enforce fireworks. The Chief did not have an answer and will investigate it. Attorney Dillinger said that the Township cannot make an ordinance that is more restrictive than the state law. The state's amendment takes effect in September 2022, and on the dates that are referred to in that law, there's very little that the municipality can do to combat it. Would Mr. Leisher consider holding this activity at another location? Mr. Leisher said sure, he'd certainly be amenable to that if there was a better area presented to him. Any insurance issues? Not currently since he's not a professional.

Steven Pipher, 215 Old Hickory, brought up the issue of a high-speed internet provider. Glo-Fiber is a new provider; would the Township be able to look into it? York Township recently approved a cable franchise agreement with Glo-Fiber. Mr. Pipher would like to have a choice of a less expensive option. Interesting, because the Township is negotiating a cable agreement. Mrs. Masemer will investigate.

Mike Grothouse 1215 Canal Road Extended, is still waiting for the buffers on the a/c units on DHL. Trucks are still idling in the parking lot. Manchester Street sewer line workers are making a mess and not cleaning up stones, etc. Visibility is reduced with the trucks parking on the hill. The flag force is less than perfect.

Ed Hewitt, 290 Manchester Street, corroborated the road blocking incidents. He also related a story of a motorist being surprised by a worker/equipment in the wrong lane.

Mr. Pipher asked about the one-lane bridge before the construction site on Emig Road. Wrong municipality. That is within Manchester Township. Also, the truck traffic isn't supposed to be on Mundis Race Road because it is a "no truck" route.

Emergency Services Report

Fire Chief's Report – no comment/discussion. The ambulance club is still working on increasing staffing. They have been able to purchase some new equipment with grant funding. Chairman Gross noted that 20 to 25% of the calls are false alarms. Unacceptable. Chief Stevens arrived late to this meeting and reported that DHL allowed Kinsley Construction to dump a load of stone for the Manchester Street sewer project, which blocked the emergency access road to DHL. Situation remedied. Also, York Water Company has a project coming up; "DHL has been less than cooperative." That situation should be in hand as well.

York County Regional Police Report -- nothing discussed.

Emergency Services donations – nothing discussed.

Special Request

Lions Club Requests -- Mike Starner, Susquehanna Lions Club, presented a letter requesting permission to hold the parade again this year. A possible issue is the parade route, which is currently under construction, so a change will be in order. Possibly through Forge Hills? Or use the detour that is in place? **Motion by Chairman Gross, second by Supervisor Albright, to approve the request by the Lions Club for the Hallowe'en Parade (October 16, 2022), working with the detour as necessary; AND to send \$5K to the Lions Club as budgeted. All members voted aye; motion carried.**

Richard Brenner, Lions Club, reported that to celebrate the 90th anniversary of the Lions Club next year, the Club is proposing a permanent sign for the North George Street corridor. Manchester Hydraulics has offered the location. Mr. Brenner asked for the Township's guidance and support. Chairman Gross proposed that the fees be waived, as long as the Lions Club complies with all appropriate Township requirements. It would be good to get a letter of support from Manchester Hydraulics. Do they need letters of support from the municipalities listed on the sign? Manchester, Mr. Wolf, York Haven, Conewago, and Newberry? Does this fall under a non-existent sign ordinance? Is it classified as a community sign? The problem is that this would be the third sign on the Hydraulics property... so a Special Exception might be in order. The proposed sign would need to meet all the zoning ordinance requirements. Should there be a licensing agreement? Would that be expensive for this non-profit group? Blaine Rentzel asked what would happen if it were portable, put atop a wagon on that property? That's covered in the ordinance. We'll keep this on the agenda, so it doesn't fall by the wayside.

Correspondence

Nothing to report.

Solicitor's report – Attorney Dillinger

- Canal Road Betterment Project – still a work in progress.
- DHL releases – all developers have approved the releases. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to approve the DHL releases, provided all required developers sign the documents and all requirements under Section 5 are met, AND to authorize Chairman Gross to sign the releases AFTER everyone else signs, AND that no signature will be provided from the Township until all money is fully escrowed. Two members voted aye; Chairman Gross opposed. Motion carried.**
- Locust Point Road payment application -- another application has been submitted for payment. Mr. Trout has reviewed each application for payment. **Motion by Supervisor Albright, second by Vice Chairman Naylor, to delegate to staff members to make the decisions on the applications for payment and to make payments in a timely manner. All members voted aye; motion carried.**
- EV charging stations -- Attorney Dillinger reported that his office is drafting an ordinance to address this concern. Evidently the state is proposing a law, too, so maybe put our preparations on hold so that we don't put forth a lot of effort if those efforts might be overturned. Hold off on this until more information is received.
- Fireworks Ordinance amendments -- many complaints are received on the dates where "the state has tied the municipality's hands" so to speak. On the holiday dates permitted (Memorial Day, Fourth of July, Labor Day, New Year's Eve), the only thing the police can enforce is the 150' distance requirement. Mrs. Hall suggested silent fireworks. Herb Nix, 245 Chestnut Street, said that it sounds like Mr. Leisher is interested in progressing past what he does now, so maybe silent fireworks might work if he goes that far. Consumer fireworks are permitted between 10 a.m. and 10 p.m. Mrs. Hall said that the Leisher display went until 11 p.m. The current Township noise ordinance is useless on the holiday dates specified in the state law. And unfortunately, the Halls were unaware of the fireworks date in the neighborhood. Also, can she request police presence for the event? The Board and Attorney Dillinger will look into this entire issue further.
- Stormwater Ordinance – there are extensive changes that must be approved by September. What if the Board doesn't adopt it? Likely penalties, but that's unknown. Mr. Trout didn't know either.
- Stackhouse property at 775 Willow Springs Lane – this will be discussed in Executive Session.

Engineer's report – Byron Trout

RE: the betterment project; working on curbs and sidewalks. Does the Township have a color preference on the handicap ramp? Match Espresso Drive.

Rolling Meadows update – Mr. Trout has been talking to Keystone about the swale; possible completion toward the end of August. Street work is still on hold. Chairman Gross referred to the Sewer Authority minutes which indicate that the SA is concerned about the streets, too.

Stormwater update – behind Zions View Road – Dolan property is staked out; meeting on site tomorrow. Construction work should begin yet this week!

Rolling Meadows/Rentzel Heights surety reduction – This will be discussed in Executive Session. From the audience, Bob Nace asked if permits are being withheld for the lots while the swale issue is pending. Mrs. Helsel noted that the occupancy permits are being held for the lots that abut the common area in question.

Park Street plans are ready. Mr. Haugh is working on the bid specifications.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – Both representatives are present tonight; they might attend the Executive Session following tonight's meeting.

Zoning Officer – Planning Commission meeting on August 23. No ZHB meeting for August.

Recreation Board – nothing. Frisbee golf project is still a work in progress. A couple of "holes" were in the Sewer Authority easements, which is being addressed.

PSATS Southcentral I Regional Forum, \$99 per member – anyone else want to go? Stand by.

Grant Resolution to apply for LSA grant with \$100 application fee -- The grant writer prepared most of the information/documentation for a possible \$5,233,498. Hopefully a chunk of funding will come through. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to authorize Township Manager Kristie Masemer to sign this application and to pay the \$100 application fee. All members voted aye; motion carried.**

RACP grant with \$500 application fee -- **Motion by Vice Chairman Naylor, second by Supervisor Albright, to authorize Township Manager Kristie Masemer to sign this application and to pay the \$500 application fee. All members voted aye; motion carried.**

Republic Service update – tag-a-bags – several tag-a-bag residents didn't like having to pay everything up front instead of quarterly for the program. Good idea. Republic is working out the details and paperwork right now.

ARPA funds – received \$1,292.31 in July from unused ARPA funds. Should get over \$408K soon, too.

Public Works Report – Shane Haugh

New full-time hires -- new hire Dylan Martin starts on Monday and Henry Kline Jr. started July 25th.

Land Development/Subdivision –

Nothing at this time.

Supervisor's comments

Vice Chairman David L. Naylor – when does the turn-out gear expire? Chief Stevens will check and also check Mt. Wolf's situation, too. Police meeting Thursday at 6pm, at the Board Road facility.

Supervisor Darryl Albright – nothing at this time.

Chairman Steven H. Gross, Jr. – Regarding the HOPs that developers receive – Chairman Gross feels that the Township hasn't been aggressive enough in letting the developers know what the Township needs to see and how to get there. Staff and Board members, you've been put on notice to be a bit more assertive!

[No bills to pay tonight.]

At 9:27 p.m., the meeting *recessed* to Executive Session.

At 9:31 p.m., the meeting reconvened.

Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the surety reduction in the amount of \$60,232.18, leaving a balance \$564,300.44 as recommended by the Township Engineer. All members voted aye; motion carried.

Motion by Supervisor Albright, second by Chairman Gross, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:58 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary