

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**October 11, 2022**

Present: Chairman Steven H. Gross, Jr., Vice-Chairman David L. Naylor, Supervisor Darryl L. Albright; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Kelly Helsel; Recording Secretary, and 14 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 September 13, 2022, the Board neither met nor conducted any business.

**Motion by Supervisor Albright, second by Vice Chairman Naylor, to approve the minutes of the meeting of September 13, 2022. All members voted aye; motion carried.**

**Public Comments**

Mike Grothouse, 1215 Canal Road Extended, commented on the netting fiasco from the DHL site. Mrs. Masemer will address with the property management company.

Ed Hewitt, 290 Manchester Street, commented on too many people running the stop sign at the Canal Road and Manchester Street intersection. Vice Chairman Naylor will have the police check it out.

Philip Woods, 380 Old Hickory Road, thanked the Board for the financial support for the disc golf course at Dauberton. He noted that 23 days in, many, many people have visited and played the course. There have been no reported issues. Also, the project is coming in under budget. Kudos to the Public Works crew for their help. An official ribbon-cutting will be held soon!

**Emergency Services Report**

Fire Chief's Report -- Chief Stevens reported that the president of the fire company passed away suddenly. The vice president is handling things so far, at least until the November election.

2022 Volunteer Fire Relief Allocation -- \$68,786.66 received; **Motion by Vice Chairman Naylor, second by Supervisor Albright, to distribute to Union Fire Company \$41,272.33, AND to distribute to Eagle Fire Company \$27,514.33. All members voted aye; motion carried.**

Fireman's Relief Allocation Audit by Attorney General's office

York County Regional Police Report -- budget will increase a bit mainly due to increased fuel costs.

Fundraiser to purchase police horses: October 15, Dallastown.

York County Regional Police 2023 MMO -- FYI.

Emergency Services donations -- nothing discussed.

**Special Requests**

5230 North George Street Extended, request to waive Township fees for dumpster and demo and pay CCIS for building code fee for demolition -- this property was in a total disarray and was sold to the neighbor across the street. Is there any way the Township can work with the owner to encourage the cleanup of the property and making the eyesore look better? What amount might we be talking about? Demo fee of \$50; UCC fee of \$40; dumpster fee of \$25; CCIS fee under \$100. Does this set a precedent for other residents? Chief Stevens noted that the fire department was on this site over the weekend for illegal burning. Chief Stevens followed up with being glad that someone is finally cleaning up this property. **Motion by Chairman Gross, second by Vice Chairman Naylor, to waive the dumpster fees ONLY for six months and see if there's any grant funding available. All**

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**members voted aye; motion carried.**

Hoffman Homes for Youth donation request -- this request is from an agency that is not in the Township.

### **Correspondence**

York County letter of regional significance for Panda Express, 2510 East Market Street in Springettsbury Township

York County letter of regional significance for Red Rock and Cloverleaf Roads in Conewago Township

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

- Canal Road Betterment Project; **Motion by Chairman Gross, second by Vice Chairman Naylor, to adopt Resolution #2022-18, adopting portions of ROW along the NE and SW sides of Locust Point Road and the NW and SW side of Canal Road. All members voted aye; motion carried.**
- Canal Road Betterment Project; signatures from all developers except one. Dean Kohr commented that it would be in the best interests of the motorists to get this Agreement signed so that the work gets underway. **Motion by Vice Chairman Naylor, second by Supervisor Albright, to adopt Resolution #2022-19, approving an Intermunicipal Agreement with Conewago Township and enter into an Agreement titled "The Canal Road Betterment Project Development Agreement" BUT not sign the Agreement until all other parties have signed. All members voted aye; motion carried.**
- Canal Road Betterment Project; **Motion by Vice Chairman Naylor, second by Chairman Gross, to adopt Resolution #2022-20, PennDOT Reimbursement Agreement. All members voted aye; motion carried.**
- DHL Releases -- **Motion by Vice Chairman Naylor, second by Supervisor Albright, to approve the signing of the DHL release, returning the \$5M letter of credit upon receipt of payment by the Township; AND executing the release with the Township. All members voted aye; motion carried. Motion by Supervisor Albright, second by Chairman Gross, to sign the release of DHL from the Canal Road Betterment Agreement in exchange for DHL's payment of \$7.5M to fund their portion. All members voted aye; motion carried.**
- **Motion by Vice Chairman, second by Supervisor Albright, to approve the release of a \$360,000 Surety Bond to DHL for Manchester Street. All members voted aye; motion carried.**
- Locust Point Road utility relocations -- Verizon is delaying the project on Locust Point, Canal Road etc., by not removing/moving their poles. The Township sent a letter to the PUC and other entities explaining this situation. Is there anything the Township can do to file a formal complaint against Verizon to get them to act? From Attorney Miller, there are informal and formal complaint processes. It'll take about six months to get a hearing in the formal process, though. Does the Township have an official agreement with Verizon? If so, the PUC will mediate the dispute. No, no agreements with Verizon, per Attorney Miller. It's the developers that have the agreements with the utilities. From Mr. Haugh, Verizon did have a meeting onsite last week, and PERHAPS things will start happening soon. Mrs. Masemer will forward all pictures to Attorney Miller so that he has all evidence needed to start a formal complaint filing if it comes down to that.
- **Motion by Supervisor Albright, second by Chairman Gross, to authorize the preparation of the paperwork to adopt Act 57 of 2022. All members voted aye; motion carried.**
- Comcast cable agreement is in the works.

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

**Motion by Supervisor Albright, second by Chairman Gross, to approve the Hillwood Surety Reduction Request #1 for the Garrod property in the amount of \$4,167,541.95, leaving a balance of \$1,449,911.49, per the recommendation of the Township Engineer. All members voted aye; motion carried.**

Rolling Meadows update -- photos presented to the Board members to support Mr. Trout's update. Several facets are works in progress in this development. Mr. Trout will re-examine the area tomorrow. From the audience, Troy Rentzel noted that the swale construction rocks, etc., were left on his side of the line so that he has trouble mowing that area. Mr. Trout will look at that, too.

Stormwater update behind Zions View Road -- still a work in progress; moving along.

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On Monday, October 17, at 1 p.m., Mr. Trout's going to DHL with the Conservation District representative.

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

Pat Poet with the Sewer Authority wanted the board to know that the term of Tyler Kramlick is expiring.

*Sewer Authority* – **Motion by Vice Chairman Naylor, second by Chairman Gross, to approve the Access Agreement with NEYCSA for the disc golf course in Dauberton Park. All members voted aye; motion carried.**

*Zoning Officer* – No October meetings for the Planning Commission or Zoning Hearing Board.

*Assistant Zoning and Codes Officer* – nothing discussed.

*Recreation Board* – nothing discussed, other than the disc golf project that was covered earlier.

Fire Hydrant tax – since this tax was established, it has not been collected correctly. Keep the ordinance the same and allow the Tax Collector start collecting properly? Or change the ordinance? This fund operates like this: each hydrant costs over \$30 per month for maintenance and service. The fire hydrant tax is collected for these costs.

Chairman Gross thinks the Tax Collector should start collecting correctly. Total increase \$1,771.79 per year, for correct collections. **Motion by Supervisor Albright, second by Chairman Gross, to enforce the fire hydrant tax as written, starting in 2023. All members voted aye; motion carried.**

Intergovernmental Insurance Cooperative Resolution #2022-21; **Motion by Chairman Gross, second by Vice Chairman Naylor, to join the Benecon Group Insurance Plan (IIC). All members voted aye; motion carried.**

Land Bank Authority Grant – 775 Willow Springs Lane (owned by East Manchester Township) and 5230 North George Street (owned by Kyle Mitzel) -- grant funds available. Re: 775 Willow Springs Lane, the plan is to demolish the garage on this site and clear up the vegetation to improve the sight distance. Mrs. Masemer would need to appear before the Land Bank Authority in November; project funds are awarded in January 2023. This is a reimbursement grant. Everyone agreed that Mrs. Masemer should pursue this option. Will do.

ARPA funds – Nothing Discussed.

Mrs. Masemer was asked to write a newsletter article outlining all the positive aspects of the East Manchester Township community. She will get input from each Supervisor.

**Public Works Report – Shane Haugh**

Mr. Haugh had to send the backhoe back as it had major trouble. He has a loaner while the faulty one is being fixed.

Park Street bridge bids - We received only two bids. Total bid amount from Kinsley Construction Inc. is \$70,000.00 and from Mar-Allen Concrete Products, Inc. at \$148,187.00. **Motion by Chairman Gross, second by Vice Chairman Naylor, to sign the bid award for the Park Street bridge to Kinsley Construction Inc. for \$70,000. All members voted aye; motion carried.**

Locust Point Road improvement project update -- Mr. Haugh gave updates on the various stages of this project. Columbia Gas seems to be moving forward.

North Sherman street sink holes -- nothing discussed.

**Land Development/Subdivision –**

Americold Final Land Development Plan for drop lot located at 285 Steamboat Boulevard

Joe Gurney, First Capital Engineering, was present on this plan. This property is zoned Industrial, about 17 acres; the single-family dwelling will be vacated; wetlands properly identified. There will be 198 trailer parking spaces to serve the Americold warehouse across the road. Gated access from Steamboat Boulevard. It's essentially a very large parking lot. Security fencing around the entire property. Dumpsters and portable toilets onsite. Trees/woods on the perimeter will remain to help with screening the site.

YCPC didn't review this plan because no building is planned. East Manchester Township Planning Commission recommended approval.

Waivers requested: §208-21 Preliminary Plan Requirements, §208-34(A)(4) Plan Scale, §208-44(D) Vertical Slope, §208-47(A) Curbs, and §208-31(A)(3)(a)(4) Copies of Plans and Profiles of Proposed Sanitary and Storm Sewer Systems.

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Only two portable toilets? Mr. Gurney said he picked a number; can increase. There will be cameras and lights on this site for security. The “clean water” that comes off the hillside will be fed directly into the wetlands to maintain the integrity of that area.

Mr. Trout asked Mr. Gurney to explain the situation of having four trucks waiting on Steamboat Boulevard... and Mr. Gurney wasn't sure about that. Mr. Trout would rather have the trucks all onsite rather than waiting on the street. Mr. Gurney will readdress and revise the note. Dean Kohr requested that detailed information from the ZHB be documented on the plan.

Open items are agreements, etc., items that can be addressed easily.

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

**Motion by Naylor, second by Albright, to approve the final land development plan of Americold, subject to the satisfactory resolution of the following open items: Surety and Developers agreement §208-34(C)(13); Stormwater Management Agreement in a form satisfactory to the Township Solicitor § 208-34.C.13; note that a Township Driveway permit is required §208-48(A); Northeastern York County Sewer Authority signature §208-34(B)(22); Stormwater Management Plan comments from Gordon L. Brown & Associates as required §208-34.C.13; the Description of Operations on Plan Sheet LD-01 to explain how the Plan will address parking concerns, as required by the variance decision of the Township Zoning Hearing Board for the Americold Expansion. All members voted aye; motion carried.**

Core5 Industrial Partners Final Land Development Plan for Phase 3, Lot 4

Josh Hoffman was present on behalf of the applicant. This phase involves the construction of Building 4 on about 110 acres. This plan/phase will also involve the completion of the loop road in the site. All waivers were approved as part of the preliminary plan phase. The East Manchester Township Planning Commission recommended approval. The plans have been signed (this was one of the open items). Mr. Haugh noted that the curbing on Dellinger was installed. How about the agreements? In progress, and this is the only open item. From Mr. Trout, don't forget, the applicant must update its traffic study after a certain point in this process. Got it.

**Motion by Chairman Gross, second by Vice Chairman Naylor, to approve the final land development plan for Phase 3, Lot 4, Core5 Industrial Partners, subject to the satisfactory resolution of the open item (all agreements). All members voted aye; motion carried.**

East Manchester Township Final Land Development Plan for building addition

Andy Levine, P.E. was present on this plan which involves an addition to the current Township building. An HOP is required to relocate the driveway (state road) and is in process at PennDOT.

Waiver requests for curbing and sidewalks.

Open item: Signatures §208-34.B.17.

The Planning Commission recommended approval of the curbing waiver but *did not* recommend approval of the sidewalk waiver request. It was noted that the closest sidewalk to this site is at the borough line in one direction and even farther away in the other direction. LegUp Farm does not have sidewalks, but does have curb. It was noted that the existing parking spaces are right up to the PennDOT ROW line. How about putting the standard six-month note on the plan? The Planning Commission members wondered if the Township would enforce the action on itself if the note were called in. If this weren't the Township building, would sidewalks be required? The Planning Commission thought that the Township should be made to install the sidewalks just like everyone else. But would it make sense to put off installing the sidewalks until more properties along this road install sidewalks? Robert Nace suggested that the sidewalks should be postponed until a property on either side of the Township property installs sidewalks. Great idea.

How about the financing for this project? Any grant funding won't be awarded until December. The approval of this plan does not obligate the township to go forward with the improvements.

**Motion by Chairman Gross, second by Supervisor Albright, to approve the final land development plan for the East Manchester Township building addition with the condition that installation of sidewalks be postponed until such time as an adjacent property installs sidewalks. All members voted aye; motion carried.**

**Supervisor's comments**

*Vice Chairman David L. Naylor* – watch the changing laws on the decommissioning of solar farms. Per Attorney Miller, the community solar aspect would affect the Township.

*Supervisor Darryl Albright* – Mr. Albright got educated on the RACP grant that the Township submitted for. He invited Governor Wolf and contacted some other representatives on the RACP grant.

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

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

At 9:25 p.m. the meeting *recessed* to Executive Session for discussion of personnel matters.

**Motion by Chairman Gross, second by Supervisor Albright, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Kristie Masemer  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary