

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**September 12, 2023**

Present: David L. Naylor and Darryl L. Albright; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Gary Mayfield; Recording Secretary, and 18 citizens.

David Naylor called the meeting to order at 7 p.m. The Pledge of Allegiance was given to the Flag of the United States of America.

Mr. Naylor reported that the board met on September 5 for succession planning, following the sudden death of Chairman Steven H. Gross, Jr.

**Public Comments**

Nothing at this time.

The Agenda was amended to reflect approval/amending the Agenda *before* the appointments and add section 4.5 Vacant Zoning Hearing Board Position.

**Motion by Naylor, second by Albright, to amend the Agenda as indicated above. All members voted aye; motion carried.**

**Appointments**

Mrs. Masemer opened nominations for Chairman.

**Motion by Albright, second by Naylor, to nominate David L. Naylor as Board Chairman. All members voted aye; motion carried.**

Chairman Naylor assumed the duties of Chairman and opened the nomination for Vice Chairman. **Motion by Chairman Naylor, second by Albright, to nominate Darryl L. Albright as Vice Chairman of the Board. All members voted aye; motion carried.**

**Motion by Chairman Naylor, second by Vice Chairman Albright, to appoint Darryl L. Albright as the alternate to the York County Regional Police Commission. All members voted aye; motion carried.**

Chairman Naylor read a statement, noting that due to the urgency of the situation, there was no advertisement of the meeting for the succession plan. Mr. Gross's name must be replaced on the November election ballot; his name will be replaced with Dean Kohr, who has agreed to serve as the third Supervisor. Mr. Kohr attends all Board of Supervisor meetings, Planning Commission meetings, and serves on Zoning Hearing Board, therefore he has actively shown that he is well versed and up to date with Township business and has the Township's best interest at heart. October 10 will be Mr. Kohr's first meeting. Thank you to Mr. Kohr for agreeing to serve.

**Motion by Chairman Naylor, second by Vice Chairman Albright, to appoint Dean Kohr as the Temporary Successor on the Board of Supervisors and nominee for the York County Elections ballot. All members voted aye; motion carried.**

Vice Chairman Albright read a statement, mourning the passing of Mr. Gross. Supervisors are allowed 30 days to replace a Supervisor, hence the quick action needed. Election ballots are being printed very soon, so Mr. Kohr's name surfaced and was to be added. If Mr. Kohr is elected in the general election, he will serve 6 years. However, any resident who resided within the Township at least one year could run and win a write-in campaign and is encouraged to do so.

Because Mr. Kohr is currently serving on the Zoning Hearing Board, his position is now open with his appointment as a Supervisor. **Motion by Chairman Naylor, second by Vice Chairman Albright, to appoint Mike Grothouse to the Zoning Hearing Board to fill Mr. Kohr's term. All members voted aye; motion carried.**

September 12, 2023

**Motion by Naylor, second by Albright, to approve the minutes of the meeting of August 8, 2023. All members voted aye; motion carried.**

**Motion by Chairman Naylor, second by Vice Chairman Albright, to approve the minutes of the emergency meeting of September 5 as presented. All members voted aye; motion carried.**

### **Emergency Services Report**

Fire Chief's Report -- Chairman Naylor noted that he and Mr. Albright were present at Mr. Gross's farm after Mr. Gross passed away, and Chairman Naylor noted total teamwork between all companies who responded. Well done to all involved.

York County Regional Police Report -- next meeting, Thursday at 6 p.m. at York precinct. Currently working on the budget for 2024. Guess what? The budget will increase, just like everything else. Hiring and training in progress. More officers are needed, hence the increase in the budget.

NEAEMS to return donation – update -- Mrs. Masemer reported that the ambulance club was advised by its lawyer to wait until the service is dissolved before returning the funds.

### **Special Requests**

Per Blaine Rentzel from the audience, the Lions Club requested a donation from the Township for the 2023 Halloween Parade. **Motion by Vice Chairman Albright, second by Chairman Naylor, to donate \$5K. All members voted aye; motion carried.**

**Motion by Vice Chairman Albright, second by Chairman Naylor, to approve the tax exoneration request by Neil B. and Tammy M. Gingerich (property split), Beshore School Road, in the amount of \$15.44. All members voted aye; motion carried.**

### **Correspondence**

Nothing at this time.

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

- Emergency Management Coordinator Agreement -- **Motion by Vice Chairman Albright, second by Chairman Naylor, to adopt Resolution #2023-10. All members voted aye; motion carried.**
- York Water Company Agreement -- this is to change the electrical account to York Water Company's name on a particular site that currently houses two Township radio antennas. The Township is positively affected by this change because the Township will no longer have to pay the electric bill for this. **Motion by Chairman Naylor, second by Vice Chairman Albright, to approve the agreement to transfer electric account from the Township at 74 Bryn Way to the York Water Company. All members voted aye; motion carried.**
- Small cell wireless ordinance -- Attorney Miller explained the process. Next step: send to YCPC. One other item: can the Township get a decommissioning bond? Yes, and Attorney Miller strongly recommends adding this to the ordinance. **Motion by Chairman Naylor, second by Vice Chairman Albright, to send both ordinances to YCPC including the decommissioning bond language. All members voted aye; motion carried.**

Vice Chairman Albright asked if Brickyard Industrial Park Association for the eroded basin off Steamboat Blvd. has responded to Mr. Trout's letters of enforcement/violation. No. The Board gave Attorney Miller direction to take the next step with further enforcement action.

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

Traffic study quotes -- two quotes, Grove Miller Engineering, Inc., \$165/hour; ELA group \$170/hour. Mr. Trout is familiar with both companies. Chairman Naylor explained the reason for exploring this possibility which include the Township's Planner disagreeing with developer's Traffic Studies for land development plans. Attorney Miller agreed that the developer would be responsible for those costs. **Motion by Chairman Naylor, second by Vice Chairman Albright, to enter into an agreement with Grove Miller Engineering, Inc. on an as-**

**needed basis for traffic study purposes and placing them on the appointments list for 2024. All members voted aye; motion carried.**

North Sherman Street Extended update -- surveys have been done; Mr. Trout has not received any response from a representative, Kevin Keefe. Phase I is proceeding. Must DEP be involved? Yes, of course, but there's no fee involved. PennDOT will pay for the materials and labor; the Township is required to maintain the area forever being the PennDOT permittee for parallel pipe. It would be great if the repair work could be placed underground.

Core5 update -- Buildings 2 and 3 parking lots are completed. High grass to be mowed. Building 4 is in progress.

How about Hillwood? Still working on the retaining wall. No work started on the building yet.

Mr. Trout would like a motion to approve two Local Share Account (LSA grant) Resolutions for a Ford Explorer for staff in the amount of \$47,990.25 and a skid loader with kit attachments in the amount of \$113,951.00. **Motion by Chairman Naylor, second by Vice Chairman Albright, to authorize Manager Kristie Masemer to sign both LSA Category 4 Facilities Program Resolutions for the Ford Explorer in the amount of \$47,990.25 and for the skid loader with kit attachments in the amount of \$113,951.00. All members voted aye; motion carried.**

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

*Sewer Authority* – minutes are available.

*Zoning Officer* – no ZHB or PC meeting in September.

*Assistant Zoning and Codes Officer* – hired a new part-time employee for this position, Lauren Weaver.

*Recreation Board* – still need one more Board member for a quorum. Anyone interested? Please come forward.

Ordinance Amendment requests:

EMT Ordinance 203-21, Obstructions and Hazards; streets, sidewalks, and curbs chapter

EMT Ordinance 208-44.F, Grading

Change *where relevant* in the codified ordinance to require developers to conduct traffic studies for the speed limits and stop signs within a development that is proposed to dedicate roads to the Township.

There are a few others as well, but they haven't been officially presented to the Board yet. Chairman Naylor's suggestion is to use the second meeting of the month to discuss the ordinance amendments. Mrs. Masemer requested that this project be put off until after the first of 2024.

SPCA response to the Board of Supervisors' request for information -- information was received, and it appears that there's no way around this 'contribution' and what the Township pays in minuscule compared to larger townships.

**Motion by Vice Chairman Albright, second by Chairman Naylor, to approve the payment of the 2024 Minimum Municipal Obligation (MMO) for the pension plan (\$38,388). All members voted aye; motion carried.**

**Public Works Report** – Shane Haugh

The backhoe is in good shape now. Blacktopping is well done.

EMT Phase I building update –Good building progress; Mr. Haugh is quite pleased. Perhaps an 'open house' can be held before the next meeting. Vice Chairman Albright commented 'well done on the Second Street project.' From Mr. Haugh, can the road crew participate in the Halloween parade this year? Sure. From Mr. Trout, perhaps a snowplow could be donated to the local high school for the art department to paint? He'll provide more information to Mr. Haugh.

**Land Development/Subdivision** –

Any questions on the August 22, 2023, Planning Commission minutes? Not at this time.

Discussion was held on the slope waivers that are in progress.

Manchester Commerce Center Final Subdivision and Land Development Plan (re-approval); NorthPoint,

September 12, 2023

Page 3 of 4

Shannon Buster, was present on this plan. Condolences on the loss of Mr. Gross. Plan is presented for review. Dedicated right and left turn lanes were suggested by Mr. Mortorff on Regional Way at Canal Road. PennDOT requested to remove the left turn lane until a signal is installed at that intersection. So, essentially, there's temporary striping in place until PennDOT authorizes a signal there. This is the only change from the last time this plan was before the Board. Mr. Trout's suggestion is to build the lanes as wide as they are eventually going to be. Ms. Buster confirmed that is proposed.

He doesn't feel that the temporary striping will do the trick, knowing motorists. Question: does not using the left-hand and right-hand turn lanes affect the level of service in this area? Might there be any liability for the Township? The PennDOT permit plans indicate the turning lanes, yet PennDOT says remove them for now. Ms. Buster can have the traffic engineer re-look at the situation. How about striping the lanes AND placing some bollards to indicate that it's not a lane to be used yet?

This plan could be re-approved conditionally with the approval of the traffic engineer to indicate that the intersection is safe as presented.

**Motion by Chairman Naylor, second by Vice Chairman Albright, to re-approve the Manchester Commerce Center/NorthPoint LDP plan, subject to the approval of the Township engineers. All members voted aye; motion carried.** If Mr. Trout and Mr. Mortorff aren't satisfied with the results/examination, they are to remain adamant in their positions. Got it. The subdivision is authorized to be recorded since the developer met all conditions on the Board of Supervisor Conditional Approval Letter.

#### **Supervisor's comments**

*Chairman David L. Naylor* – on Wago Road, how can people gain access to the stream to fish, etc.? Discussion held. Chairman Naylor confirmed that there's a huge hole to fill in Mr. Gross's absence. He will indeed be sorely missed.

*Vice Chairman Darryl Albright* – looking at trying to get pickleball courts in Rudy Park. Requested that the Township send letters to the emergency services personnel involved in the Gross incident, thanking them for their professionalism, etc.

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

Executive Session – Not needed.

**Motion by Chairman Naylor, second by Vice Chairman Albright, to adjourn. All members voted aye; motion carried.** The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Kristie Masemer  
Secretary/Treasurer/Manager

Julie B. Maher,  
Recording Secretary