

**EAST MANCHESTER TOWNSHIP**  
**Board of Supervisors**  
**Special Meeting**  
**December 18, 2023**

Present: Chairman David L. Naylor, Vice-Chairman Darryl L. Albright, Supervisor Dean E. Kohr; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Township Solicitor Andrew Miller, Esq., MPL Law Firm; Township Engineer Byron Trout, P.E., GLB&A; and two surveyors from GLB&A; 2 citizens attended the meeting.

At a special meeting which began at the Township building, Chairman Naylor called the meeting to order at 10:00 a.m. and dispensed of all formalities. The meeting remained at the township building until 10:10 a.m. to ensure citizens had a chance to attend the meeting prior to departing to 867 Canal Road, Manchester, PA 17345, property of Renee Henry. No citizens arrived.

*Approve/Amend This Agenda*

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

*Discussion of Renee Henry's Property Located at 867 Canal Road Ext., Manchester, PA 17345*

Arrived at the property of Renee Henry where the board and staff walked the property with Renee and her sister, Lisa Texter. Mrs. Henry was concerned that there weren't enough property markers to delineate the PennDOT deeded right-of-way from where her property begins. She finds people wandering onto her property often because of the scenery and wooded area of her lot. The board discussed and agreed that due to the lay of Mrs. Henry's land as a result of the complexity of the Locust Point Road Project, it is not visibly clear where the right-of-way line is.

**Motion by Chairman Naylor, second by Vice-Chairman Albright, authorizing Gordon L. Brown & Associates to install two (2) concrete monuments as discussed on site and some intermediate stakes on the curb of the property. All members voted aye; motion carried.**

Additionally, Mrs. Henry stated that after the Locust Point Road improvements were completed, the curb that was installed now prevents her from accessing the wooded portion of her property which is on the other side of an intermittent stream. Prior to the Locust Point Road project Mrs. Henry's access was unobstructed and came directly off Locust Point Road. Mr. Trout stated that a simple and cheap solution would be to apply for a PennDOT HOP for a low volume driveway which would entail curb cuts and light grading. Furthermore, Mrs. Henry revealed that the area of access is on her sister's property, which leads to Mrs. Henry's back portion of her property. Mrs. Texter expressed that she would be okay with the curb cut but will not entertain an easement agreement unless she were to sell her property.

**Motion by Vice-Chairman Albright, second by Chairman Naylor, authorizing Gordon L. Brown & Associates to apply for a PennDOT HOP for a low volume driveway, 'curb cut', at no cost to the Mrs. Henry or Mrs. Texter AND authorizing the manager to sign the application. Additionally, any future development on this site should have an easement agreement for 867 Canal Rd. Ext. All members voted aye; motion carried.**

The residents, board and staff then walked to 40 Zions View Road, property of Lisa Texter. Mrs. Texter wanted to be shown exactly what she is responsible for regarding the sidewalks and grass areas within the right-of-way. The concrete monument was found that abuts 84 Zions View Road (DHL) and clearly shows the property line where maintenance would end for Mrs. Texter. Discussion ensued between the staff and Attorney Miller regarding the logistics of the Locust Point/Zions View corner right-

of-way lands. The land currently appears to be deeded to PennDOT who then passes maintenance onto the abutting property. Additionally, with the way the ordinance reads, Mrs. Texter would unfortunately be responsible for the sidewalks to the traffic light as well as the grassy area at the corner. Mr. Trout stated that he would delineate the clear-sight-triangle for Mrs. Texter. This is so she could allow the land outside of the clear-site-triangle to become woods for less maintenance. Both Mrs. Henry and Mrs. Texter expressed their disappointment in the Township for allowing such a burden to be placed on a resident with a Township lead project. Lastly, Mrs. Texter would like to know how much property was deeded away that was not already future dedicated right-of-way on her property. Mr. Trout will need to investigate that as the Township Engineer was not the professional assigned to this project. Chairman Naylor stated, let the minutes reflect that Mrs. Texter was verbally informed on site what she is required to maintain.

The board and staff left the site meeting and traveled back to the Township to continue the agenda business at 11:36 a.m.

#### *EPA Request for Information pursuant to Section 308 of the Clean Water Act relevant to the Pollutant Reduction Plan*

The Township received an official letter from the United States Environmental Protection Agency (EPA) regarding the incompleteness of the Pollution Reduction Plan (PRP) on December 13, 2023, with serious repercussions associated with not complying to their request within sixty (60) days, February 9, 2024. Mr. Trout explained that he would need to do about a weeks' worth of continuous work in order to comply with their deadline. Discussion was had about Mr. Trout assigning a GLB&A staff member to this since he is so busy. That could work. Mr. Trout further explained that all requirements per the EPA are addressed except the PRP comments and reducing the sediment for East Manchester Township by approximately 114,000 pounds. Discussion ensued regarding the funding for this and the MS4 line item being set at \$50,000 for 2024. Mr. Trout stated that \$50k would be enough to get the comments addressed (Phase I). After the comments are addressed, he will have a better estimate of what the Township should budget for 2025 in order to implement the PRP (Phase II). After the PRP is approved by the EPA, the township has 10 years to implement and maintain the sediment reduction. If the Township would try to get on board with York County's consortium, the Township would owe back-pay and this could cost the Township more than a half million dollars. Mr. Trout recommends staying on track with his drafted PRP with some project amendments which would be more cost effective. If the Township was a part of the consortium, the township would still have to do reporting separate from the consortium and therefore would cost more money than the pay-in to County. However, if the consortium would discover a project within East Manchester Township that would greatly benefit the County plan, the township does not need to be a part of the consortium to benefit from the sediment reduction project by using their data and would not have to pay the consortium for expenses of that project. Also, Mr. Trout recommends at this time that he reach out to the consortium's contracted company (ARRO) because they could have some collected data for Mr. Trout to use within the Township's PRP. Chairman Naylor and Mr. Trout summarized the projects in mind:

1. No-till and cover crops – the plan would include paying farmers to implement no-till and cover crops to specific areas of their farming operation.
2. Middle School plantings
3. Musser Run Restorations
4. Stormwater Pond Retrofit within Orchard Business Park (OBP)
5. Riparian Buffer Easements
  - a. Garrod Property
  - b. 500 Canal Rd. – OBP Phase II

**Motion by Chairman Naylor, second by Vice-Chairman Albright, authorizing Gordon L. Brown & Associates to prepare and respond to the EPA with a revised PRP and address deficiencies.**

***Discussion: Add to the motion that Byron can dedicate a GLB&A staff member to this project. Agreed. Vice-Chairman Albright asks if farmers would have to apply? Mr. Trout stated that the Township would solicit for the properties/areas that would be most effective for the PRP. All members voted aye; motion carried.***

*Supervisor Comments - None.*

**Motion by Chairman Naylor, second by Vice-Chairman Albright, to adjourn. All members voted aye; motion carried.** The meeting was adjourned at 12:53 p.m.

Respectfully submitted,

Kristie Masemer  
Secretary/Treasurer/Manager