

EAST MANCHESTER TOWNSHIP
Board of Supervisors
February 13, 2024

Present: Chairman David L. Naylor, Vice Chairman Darryl L. Albright, and Supervisor Dean E. Kohr; Attorney Andrew Miller; Manager/Secretary/Treasurer Kristie Masemer; Public Works Director Shane Haugh; Engineer Byron Trout; Zoning Officer Gary Mayfield; Recording Secretary, and 14 citizens.

At a regular meeting held at the Township building, Chairman Naylor called the meeting to order at 6:00 p.m.

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

Chairman Naylor announced that the Board met with sewer authority representatives on January 22 for information only regarding Area 2, and the Board also met on February 7 for a site tour of UNFI. No decisions were made at either of those meetings.

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

Motion by Chairman Naylor, second by Supervisor Kohr, to approve the minutes of the Reorganization meeting of January 2, 2024. All members voted aye; motion carried.

Motion by Vice Chairman Albright, second by Chairman Naylor, to approve the minutes from the regular meeting of January 2, 2024. All members voted aye; motion carried.

Motion by Supervisor Kohr, second by Vice Chairman Albright, to approve the minutes from the special meeting of January 24, 2024. All members voted aye; motion carried.

Public Comments

Nothing at this time.

Emergency Services Report

Fire Chief's Report -- There's a Resolution in the works to get tax rebates for volunteer fire personnel. Discussion was held on the point system developed by the County and whether the Township can offer its own point system if needed. Chief Stevens will prepare a list of points that the company would like to see included in the Resolution. Upcoming shrimp feed is sold out!

York County Regional Police Report – need some new officers for the department. An award was presented to a young woman for going above and beyond, observing, and reporting shoplifting that resulted in an arrest.

Northeastern York County Emergency Management Agency – nothing discussed.

Special Requests

Motion by Chairman Naylor, second by Supervisor Kohr, to approve the requests by the tax collector to exonerate the amount of \$1,315.00 from the 2023 balance. All members voted yes; motion carried. It was noted that these people either moved, are deceased, are minors, or the bills are duplicates.

Motion by Vice Chairman Albright, second by Supervisor Kohr, to approve the request by the York Road Runners Club to use the following Township Roads -- Board Road, Riviera Drive, and Pebble Beach Drive -- on February 24, 2024, for the northeastern 5K as in previous years. All members voted yes; motion carried.

Chairman Naylor noted that the Board is going to take a harder look at the entities who request

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donations of funds. We need to make sure that our donations affect our citizens.

York County Quick Response Team (QRT) donation request -- The board discussed that though the QRT is under York County, they still need additional funds for their military grade equipment/supplies and the QRT certainly benefits the Township citizens. **Motion by Vice Chairman Albright, second by Supervisor Kohr, to donate \$500 (2024 donation). All members voted aye; motion carried.**

2024 York County Envirothon donation request – This request was *deferred* until the Manager can confirm the participation of any students from the local school district.

2024 Northeastern York County senior center donation request – **Motion by Vice Chairman Albright, second by Chairman Naylor, to *table* this request until the end of the first quarter. All members voted aye; motion carried.**

Correspondence

YCPC letter of regional significance, subdivision on Druck Vally Road within Springettsbury Township.

Solicitor's report – Attorney Andrew Miller

- Volunteer EMS tax credit program – only a slight difference between tax refund and tax credit programs. Attorney Miller provided information from Hopewell Township for the Board members to review.

Engineer's report – Byron Trout

Motion by Chairman Naylor, second by Vice Chairman Albright, to approve the release of escrow funds in the amount of \$12,219.60 for 1605 Bartlett Drive, per the engineer's recommendation. All members voted aye; motion carried.

Motion by Chairman Naylor, second by Supervisor Kohr, to approve the surety reduction for the Garrod Property/Hillwood subdivision and land development plan, in the amount of \$1,318,354.84, as recommended by the engineer, leaving a balance remaining \$131,556.65. All members voted aye; motion carried.

Discussion was held on how much of a change can be made to a plan without submitting a revised plan. Hillwood relocated an electrical substation that solely serves their property. From Mr. Trout and Mrs. Masemer, Hillwood had discussion with professional staff, and it was agreed that the change was not significant enough to submit a revised plan. The substation was moved further from residents and is still required to buffer the station with tree plantings. Hillwood is required to submit an “as-built” plan as a result of the relocation. Additionally, the substation is an accessory to the primary structures since it's use is to not serve the public.

Discussion was held about Renee Henry's property at 867 Canal Road Extended, Manchester. Mr. Trout reported that the Township set the corners on her property. The concrete monuments are a tad too high, and she's concerned that she will hit them with her mower. She met with Mr. Trout and now she wants the Township to either lower the monuments or remove them. Also, she maintains that the monuments are in the wrong places. She would like the Township to set some stakes where the original line was before PennDOT took the ROW. From Chairman Naylor, perhaps Mrs. Henry should actually come to the Board meeting to make her requests. Mr. Trout said that she told him that she intended to show up tonight, but perhaps the weather kept her home. Supervisor Kohr agrees that she should ask in person, not go through Mr. Trout. Additionally, Chairman Naylor listed the items that were done for Mrs. Henry as a result of the Locust Point Road improvement project: GLBA had construction meetings with her as part of the road project during construction; On site Public Meeting with the BOS on December 18, 2023; Authorized and paid GLBA to place monument markers at the edge of ROW/Property Line;

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Authorized and paying GLBA to apply for an HOP to PennDOT for driveway access to her woods; Authorized and paid Attorney Miller for the error York County made; and exonerated the local 2023 interim bill and 2024 taxes because of that error.

MS4 pollution reduction plan update – submitted by the deadline last Friday, hand-delivered to DEP. One minor change, Penn Waste is not the trash collector right now. Mr. Trout will correct that during the 30-day comment period.

Secretary/Treasurer/Manager's report – Kristie Masemer

Sewer Authority – annual sewer meeting tomorrow for municipal personnel. This is not a public meeting and for informational purposes only.

Zoning Officer – no February meetings for ZHB or PC; under Miscellaneous, Mr. Mayfield's taking some training courses soon and will not be in attendance to the April Board of Supervisor meeting.

Assistant Zoning and Codes Officer – no comments on this report.

Recreation Board – Phil Woods inquired about some procedural items.

Manchester Borough sent two years' worth of SWIF bills (they have new staff) and may take the budgeted line item for 2024 over resulting in a transfer of unencumbered funds at the end of the year. -So noted.

Motion by Chairman Naylor, second by Supervisor Kohr, to approve the payment of the 2022-2023 State Workers Insurance Fund (SWIF) in the amount of \$9,214.05, as requested by Manchester Borough. All members voted aye; motion carried. This payment will involve a transfer at the end of the year.

Motion by Chairman Naylor, second by Vice Chairman Albright, to approve the payment of the 2023-2024 State Workers Insurance Fund (SWIF) in the amount of \$9,271.62, as requested by Manchester Borough. All members voted aye; motion carried.

Public Works Report – Shane Haugh (*this report was moved ahead to allow Mr. Haugh to go home as he was plowing snow since 4:00am*)

EMT Phase II building project -- temporary trailers have been set. Electricity and water will be installed, Comcast and telephone soon after that. Next week will be moving days for the staff. Next month's Board meeting will be in the garage. Mrs. Masemer will post all the appropriate information on the Township website. Construction/demolition to begin in early March.

All of the following quotes came under the MPC required threshold (\$12,200) for multiple quotes or bidding. It was noted that Morefield's quotes are much higher than both HyStar's for CCTV and door access. Additionally, HyStar's CCTV and door access can connect to the existing HyStar alarm panels within the Township building. It makes even more sense to go with HyStar.

Motion by Vice Chairman Albright, second by Chairman Naylor, to approve the HyStar quote for CCTV in the amount of \$11,959.90. All members voted aye; motion carried.

Motion by Vice Chairman Albright, second by Supervisor Kohr, to approve the quote for the door access control system in the amount of \$7,865.23 for EMT Phase II building project. All members voted aye; motion carried.

Motion by Vice Chairman Albright, second by Supervisor Kohr, to approve the Telecom quote for the phone system in the amount of \$2,446.14 for the EMT Phase II building project. All members voted aye; motion carried. It was noted that Telecom is the Township's existing telephone servicer and they have been excellent thus far.

Kudos to Mr. Haugh and the rest of the road crew during the snowstorm today. Well done!!

Land Development/Subdivision –

[The first two items were addressed early in the meeting, but not moved out of the order on the agenda.]

Final Revised Subdivision Plan, Manchester Commerce Center, 5 lots at Canal/Bear Roads

Jeremy Bittinger and Ryan Oberle of Northpoint were present. Last year, this plan was approved and recorded. Since that time, plans have been in the works to convey a part of lots 3 and 4 to lot 5.

From the Planning Commission action report: open items 1, signatures; 2, UPI numbers for lots 3 and 4; YCPC 1A, proof of waivers; 1C owner's signatures; Waiver requested to proceed to final plan stage.

Motion by Chairman Naylor, second by Vice Chairman Albright, to approve the waiver request AND the Final Revised Subdivision Plan for Manchester Commerce Center with satisfactory of the above open items. All members voted aye; motion carried.

Preliminary Subdivision and Land Development Plan for Orchard Business Park, Phase II, Lot 2 at Canal/Bear Roads

Josh Hoffman was present on this plan, along with Brian Johnson and Attorney Jeffery Lobach.

Currently the land on these three parcels is being farmed or is wooded. The house has already been removed. Frontage along Canal Road and Bear Road. Three parcels to be subdivided into three other parcels. One larger parcel, new lot 2, will have frontage on Canal Road. Another lot to be fronted on Canal Road as well, and the third small triangular lot will be dedicated to the Township. Bear Road will be realigned, and a cul-de-sac formed with the Canal Road Betterment Program. No disturbance of the wetlands on any of the parcels. Plan involves two warehouse facilities, each with its own access onto the Township Road. Uses are permitted by right in both zoning districts (Commercial and Industrial) and a third zoning district that surrounds the lots (Conservation). Proposed docks, employee parking, and trailer storage on lots 1 and 2. Four stormwater management facilities planned. NPDES permit obtained and provided to the Township. Public water and sewer to the site. Sewage planning exemption obtained. Utility HOP provided. Fire protection facilities will be in place. Construction might begin at the end of 2024/beginning of 2025.

Engineer and YCPC comments received and responded to.

Four waivers requested: Section 208-34.A, plan sheet size; Section 208-44.F, slope setback from property line (partial waiver requested); Section 208-47, curbs/sidewalks (partial waiver), no c/s for Canal Road Extended; Section 199-20.B, (stormwater), riparian buffer zone 2 width.

Exhibits included with the plans: Bear Road overlay; possible future ROW to be dedicated to the Township; possible off-ramp location/access to the site; how the plan's grading might affect/relate to the widening of Route 83 and the off-ramp; lot width-to-depth ratios (already approved by Engineer Laymon Mortorff).

Does PennDOT require any fencing between this plan's road and Route 83?

This plan was submitted quite a while ago, and several changes have been made along the way. The applicant has adjusted the size of the building and the number of trucks that will be accommodated.

When might the Canal Road Betterment Project come to fruition? Per Attorney Miller, several projects must be coordinated. Per Jon Seitz, TRG, the HOP has been submitted twice for the entire Betterment project. Another meeting will be held tomorrow.

Discussion was held on the conditions that might be placed on any approval of the preliminary plan. Development and financial security agreement – especially for the traffic signal at Bear Road/Canal Road. Manchester Commerce Center has escrowed funds for this light if required. A tri-party agreement has been signed, and that allows for similar relative contributions from the other two parties. Updated traffic counts should be provided 6 to 24 months after each building is issued an occupancy permit.

Next, on the relocation of Bear Road, coordination of road abandonment and/or dedication of the

roadway. Cul-de-sac is under 750 feet long, so the Township should be able to get liquid fuels funds for this road. What if the Township abandons or vacates Bear Road? A driveway HOP would be required. The abandonment of Bear Road is the preferred option for the applicant.

Next, the Township is supposed to ask any developers affected by Exit 26 for funds to support that project. Any contribution should be added to the agreement. The Board gave permission to Attorney Miller to negotiate any contribution from the developers.

The developer has agreed to provide an exhibit showing the relocation of the driveway. The Township would have to give *how much time* to the developer prior to the relocation of the driveway. Can they use a six-month note? Mr. Johnson said they can talk about it and come to an agreement.

Dedication of ROW along I-83 – Staff and developer have been discussing this issue. Attorney Miller feels that the developer has provided as much ROW as possible.

Prior to the developer recording plans, how far along would the Board want the HOP to be? How about a timeline on the construction/traffic plan? Definitely. And the HOP must be issued prior to plan recording. And road improvements need to be completed prior to occupancy. Mr. Seitz showed a portion of the Betterment project plan, noting that parts of Bear Road are to be used as a temporary construction entrance. It was noted that the entire project will be heavily marked with appropriate signs for everyone's safety. Mike Grothouse asked if the businesses in the area will be notified when the construction starts so that they have a heads up in advance in case they need to redirect trucks, etc. We can try.

Stormwater maintenance monitoring agreement would be in place, also. Applicant would be responsible for any stormwater facilities in the PennDOT ROW.

Also from Attorney Miller, provide declarations of easements, etc., if needed for any commonly maintained driveways, stormwater facilities, etc. Submission of traffic plan prior to approval by the board. An amendment is needed to the Canal Road Betterment Project developer agreement – require that this amendment be completed prior to submission of final plans.

Might they be permitted to submit the final plan documents even as the amendment requirement is in the works? That would be great for the applicant. Otherwise, they can be ready to submit the final plan far earlier than actions by some other parties would permit. The applicant could be ready and just be spinning its wheels while someone else is not moving forward.

Final HOP issuance for the Betterment project prior to final plan approval.

Developer would need to fully fund its obligations on the Betterment project.

Solicitor review of confirmatory deeds and deeds of dedication for the new road as part of the final LDP.

Address all outstanding comments by Township Engineer and YCPC.

Motion by Chairman Naylor, second by Vice Chairman Albright, to *table* this plan until the March Board meeting to give the Board members time to discuss and review all the ins and outs. All members voted aye; motion carried.

The Board authorized Attorney Miller to present the list of conditions to the applicants for discussion.

Small Wireless Communications Ordinance – **Motion by Chairman Naylor, second by Supervisor Kohr, to authorize MPL to advertise the public hearing for the March 12 Board of Supervisors meeting. All members voted aye; motion carried.**

Supervisor's comments

Supervisor Dean Kohr – attended new supervisor boot camp and will attend PSATS conference.

Vice Chairman Darryl Albright – attended Hanover trolley trail meeting; video shown. Also, some large items of garbage weren't being picked up; staff took care of it.

Chairman David L. Naylor – nothing at this time.

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

Motion by Chairman Naylor, second by Vice Chairman Albright, to adjourn. All members voted aye; motion carried. The meeting adjourned at 9:11 p.m.

Respectfully submitted,

Kristie Masemer
Secretary/Treasurer/Manager

Julie B. Maher,
Recording Secretary