MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS

October 14, 2014

MEETING

The Manchester Township Board of Supervisors held its regularly scheduled and duly advertised meeting in the public meeting room of the Manchester Township Municipal Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Tuesday, October 14, 2014, which was called to order at 7:00 p.m. by Chairperson Wingert.

PARTIES PRESENT

Lisa D. Wingert, Chairperson
Delmar L. Hauck, Vice-Chairperson
Kenneth D. Wingert, Supervisor
David K. Brosend, Supervisor
Rodney K. Brandstedter, Supervisor
Timothy R. James, Manager/Secretary
Debra K. McCune, Asst. Secretary
David C. Keiter, Esq., Solicitor
B.J Treglia, P.E., C.S. Davidson, Inc.

PUBLIC COMMENT

Chairperson Wingert invited the public to ask questions or offer comments about any item on the agenda as the board considers each item. She advised that the board would recognize the public at the conclusion of agenda items for any questions or concerns about non-agenda items.

APPROVAL OF MINUTES

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the minutes of the September 9, 2014 meeting. Motion carried. Ayes-5 Nays-0.

UNFINISHED BUSINESS

York Area United Fire & Rescue Services Proposal

As summarized in item #2 of the manager's report, Mr. James reported that as a follow-up to the board's action at the January 11, 2011 meeting to authorize Manchester Township representatives to enter into discussions with representatives of the York Area United Fire and Rescue (YAUFR) Commission concerning any future interest that the Manchester Township Board of Supervisors may have in having Manchester Township join YAUFR as a participating municipality, on November 17, 2011 Ms. Wingert and Mr. James met with YAUFR Solicitor Steve Hovis, Fire Chief Robert McCoy and YAUFR Commission Members Don Bishop and Austin Hunt to continue dialogue regarding advantages and disadvantages in a potential merger of fire services with YAUFR. Ms. Wingert and Former Supervisor Young reported that they participated in a conference call with Vijay Kapoor of Public Financial Management, Inc., who had been contracted by the YAUFR Commission to develop a financial analysis and that Mr. Kapoor provided general financial information that confirmed short and long term savings with merging with YAUFR. Mr. James reported that following Manchester Township Board of Supervisors action on January 3, 2012 to request membership consideration by the YAUFR Commission, Ms. Wingert received a January 27, 2012 letter from YAUFR Chairperson William Schenck confirming acceptance of the

membership consideration request. Chief McCoy presented the board with a draft memorandum of understanding between YAUFR Commission and Manchester Township in an attempt to begin negotiations for Manchester Township to become a charter member of YAUFR. On December 10, 2013 the board adopted a resolution that Manchester Township move forward with negotiations with the YAUFR Commission in an attempt to consolidate the fire service in the future. Chief McCoy reported that on April 15, 2014 the YAUFR Commission approved a proposed agreement be offered to Manchester Township for consideration for an immediate identity transfer from Manchester Township to YAUFR; for continued chief management services and including payroll services beginning January 1, 2015 for $4,500 monthly (beginning in 2015). Chief McCoy distributed additional information relative to the proposed agreement of which would end in December 1, 2017. Mr. Brandstedter questioned why the process could not be done in a quicker time frame. On May 13, 2014 the board authorized the chairperson or vice-chairperson to execute the YAUFR agreement that includes an identity transfer; a continuation of chief management services, including payroll transfer effective January 2015, for $4,500 monthly through December 1, 2017. No updated information was reported.

York Water Company – Sewer Collection System

As summarized in item #3 of the manager's report, Mr. James reported the receipt of an April 10, 2013 letter from Jeffrey Hines, P.E., President and Chief Executive Officer of the York Water Company expressing interest in purchasing the Manchester Township sanitary sewer collection system. Mr. James reported that Mr. Hines presented the proposed concept at the April 25, 2013 Manchester Township Municipal Authority meeting of which the municipal authority recommended the board of supervisors consider that a study of the process of selling the sewer collection system be developed to provide a response to purchase request. Mr. Hauck suggested an ad hoc group be developed to study the concept in order to provide a recommendation to the board of supervisors and municipal authority. On May 14, 2013 the board of supervisors authorized an ad hoc committee be formulated to research consideration of selling the sewer collection system. Mr. James reported the ad hoc committee met on July 26, 2013 to begin the review of the proposal. Mr. Hauck reported the ad hoc committee suggested a professional valuation of the sewer system and also reported he and Mr. James met with two firms that provide a valuation service. Mr. Hauck reported that following August 13, 2013 board action; the municipal authority reviewed proposals from GHD, Bowie MD and Utility Rate Resources, Harrisburg, PA on August 22, 2013 and recommended the board consider contracting with Utility Rate Resources at a cost not to exceed $15,000, to develop a valuation of the township sanitary sewer system. On September 10, 2013 the board of supervisors authorized contracting with Utility Rate Resources to develop a valuation of the township sewer system at a cost not to exceed $15,000. Mr. James reported that on October 21, 2013 Utility Rate Resources had gathered data to initiate the valuation process and that the project is anticipated to be completed by the end of January, 2014. Mr. James reported Utility Rate Resources has completed the final valuation. Mr. James responded that there would be public meeting(s) that would be scheduled at the appropriate time. On August 12, 2014 the board authorized the chairperson, vice-chairperson or appropriate member to meet with

York Water Company to negotiate a proposal for board consideration and future public feedback.

Emergency Bypass Pumping – DEP

As summarized in item #6 of the manager's report, Mr. James reported that Public Works Superintendent Goodyear had collected data during the 4 inch rain event on March 30-31, 2014 that indicates more information should be gathered in the City of York Sewer Interceptor from Manholes #1 to #25 via televising and cleaning. On April 8, 2014, the board authorized seeking contracted services for televising and cleaning the interceptor line for a not-to-exceed cost of $25,000. Mr. James reported the receipt of an April 24, 2014 Notice of Violation letter from Austin Pardoe, Water Quality Specialist with the Pennsylvania Department of Environmental Protection (DEP) regarding the bypass pumping activities for the March 30-31, 2014 rain event and requesting a corrective action plan be forwarded to DEP within 30 days. Richard Resh of C.S. Davidson, Inc. distributed a draft response to Mr. Pardoe for board review and guidance. Mr. James reported DEP provided an extension of 30 additional days for a corrective action plan response (to June 24, 2014). Mr. James reported that C.S. Davidson, Inc. prepared and distributed to the board members a June 19, 2014 response document to DEP. Engineer Treglia reviewed with the board the modified corrective action response document as requested by DEP. Township special counsel to DEP, Attorney John Mahoney was in attendance to brief the board on the latest dealings with DEP related to corrective action plan response to bypass pumping activities. Mr. Mahoney reported that DEP appears to be willing to be flexible in the township's corrective action response and potential consent order agreement due to ongoing investigation and complicated discussions with the York City Sewer Authority related to interceptor upgrades. Mr. Hauck reported the cleaning and videoing of the interceptor line by the Manchester Township Public Works Department has recently discovered blockages created by tree roots. After further discussions, Mr. Wingert made a motion, seconded by Mr. Brandstedter, to authorize and direct Attorney Mahoney (1) Notify DEP that the televising of a sewer line has revealed the likely cause of the recently developed inflow and infiltration ("I&I") problem that prompted the Department to require submission of a proposed Corrective Action Plan ("CAP"), by providing a copy of the recently obtained visual evidence of a line blockage, and (2) Request that DEP reconsider its recommendations concerning revisions to the CAP as proposed by the Township, based on the apparent discovery, and imminent testing and confirmation of the cause of the intermittent hydraulic overload in the sewer conveyance line, as indicated by the sewer line televising examination. Mr. Mahoney briefed the board on the current process of the draft Consent Order/Agreement.

2015 Budget

As summarized in item #5 of the manager's report, Mr. James reported that he distributed a draft copy of the 2015 budgets to the board for review and comment. Mr. James advised that he expected that along with the distribution of the 2015 draft budgets; a proposed budget is to be introduced at the November 11, 2014 meeting; and final adoption being scheduled for the December 9, 2014 meeting. Mr. James

requested that the board members provide any 2015 budget parameters (e.g., levels of service; specific projects, etc.) or guidance.

Mr. James advised that the 2015 draft budget shows a total budget of $13,291,900 or an increase of $260,100 from 2014. Mr. James reported that general fund budget total is $10,438,200 or 2.7% increase from 2014 primarily due to the fact public safety costs and insurance costs increased by $152,480 over 2014 levels. Mr. James also reported among the items that would have an impact on the 2015 General Fund budget are: a) little growth in real estate assessed value, realty transfer tax, earned income tax, local services tax, and mercantile/business privilege tax revenues combined with significant decreases in revenue from interest earnings, and uniform construction code fees because of a slowdown in residential property sales and construction; b) increased cost of public safety services including a 3.8% increase from the Northern York County Regional Police Department for the 67 units of contracted police service, and increased fire service costs because of the 2013-2015 collective bargaining agreement with the Manchester Township Career Firefighters Association; c) increased workers compensation, health, property, and vehicle insurance costs; d) increased costs to maintain seven (7) parks that total 145 acres; e) fire, public works and park maintenance vehicle and equipment repairs. Mr. Brandstedter suggested that budget levels should be maintained at 2014 levels by looking at cost decreases in health insurance, police costs and a variety of other items. Mr. Wingert expressed the difficulty in decreasing police costs. Ms. Wingert stated that the board may want to consider billing residents for the full cost of garbage as opposed to only $100 of the $153 that is currently invoiced. Mr. Hauck and Mr. Brosend stated that the draft budget distributed appeared to be satisfactory with some small adjustments.

NEW BUSINESS

2010 General Obligation Bond – Refinance

As summarized in item #6 of the manager's report, Chris Gibbons of Concord Public Financing, was present to present to the board the opportunity to consider the refinance of the 2010 General Obligation Bond in 2015. Mr. Gibbons provided the board with a conservative estimate of savings that a refinancing could see. Mr. Gibbons stated that with only ten (10) years remaining on the bond the savings is much less than the refinancing in 2010. Mr. Brandstedter made a motion, seconded by Mr. Brosend, to have Concord Public Financing prepare to refinance the 2010 General Obligation Bond if the net savings would be at a minimum of $150,000 in 2015. Motion carried. Ayes-5 Nays-0.

495 Leasing – Datum Storage Systems, Inc. – Final Land Development Plan (Review #2014-03)

Blaine Markle of James R. Holley and Associates, Inc. was present to present the final land development plan for 495 Leasing-Datum Storage Systems, Inc., located at 89 Church Road. Mr. Markle stated this plan proposes a 75,000 square foot expansion to an existing 120,000 square foot manufacturing facility. Mr. Markle reported additional parking will also be included in the proposed project.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the following waivers for the Manchester Township Code of Ordinances:

a) To not identify the slopes greater than 15% (Section 27-22-406.A.4.16.A).
b) To not provide a detailed traffic study due to the fact that the traffic increase is minimal because the expansion is to increase storage areas.

Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the 495 Leasing – Datum Storage Systems, Inc. final land development plan. Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brosend, to authorize the chairperson or vice-chairperson to execute stormwater and maintenance agreement for 495 Leasing – Datum Storage Systems, Inc., relative to the land development plan. Motion carried. Ayes-5 Nays-0.

Resolution #2014-13 – Distribution of 2014 State Municipal Pension Aid
As summarized in item #8 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt said resolution to authorize the distribution of $387,149.49 in 2014 state pension aid that was received in two (2) separate checks or direct deposits on September 23, 2014 to the respective employee pension plans. Motion carried. Ayes-5 Nays-0.

Stormwater Agreements
As summarized in item #9 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize board chairperson or vice-chairperson to execute stormwater and maintenance agreements for Kenneth Anderson III, 720 Anna May Street, relative to expansion of driveway; and Donald Gidusko, 2740 Farmham Lane, relative to the installation of a swimming pool. Motion carried. Ayes-5 Nays-0.

York County SPCA Agreement – 2015
As summarized in item #10 of the manager's report, Mr. Wingert made a motion, seconded by Mr. Hauck, to authorize chairperson or vice-chairperson to execute the "Stray Animal Housing and Disposal" agreement with the York County SPCA for 2015 for the annual fee of $9,081. Motion carried. Ayes-5 Nays-0.

RECOGNITION OF PUBLIC PRESENT -
In accordance with Act 93 of 1998 (Sunshine Law), Ms. Wingert recognized any members of the audience who wished to address the board.

Jamie Tracey, 540 Woodland View Drive and Jody Kroh, 286 Mountain View Drive, were in attendance to express concern with fire chief management services provided by YAUFR and the impact of personnel.

MANAGER'S REPORT –

Item #12 - Mr. James requested guidance from the board on reappointments for boards and commissions for 2015. By consensus the board suggested reaching out to persons who have expiring terms to seek their interest in reappointment.

Item #24 - Mr. James reported that on October 7, 2014 Public Works Superintendent Goodyear and Zoning/Planning Officer Olewiler attended an Inflow and Infiltration (I & I) discussion with West Manchester and Dover Townships regarding strategies in dealing with I & I.

Item #26 - Mr. James reported that on September 23, 2014 he and Public Works Superintendent Goodyear met with representatives from PennDOT regarding traffic studies for three areas, including Locust Lane/Susquehanna Trail intersection.

Item #34 - Mr. Hauck made a motion, seconded by Mr. Wingert, to ratify the promotion of Robert Luta to the rank of Captain effective October 18, 2014.

Item #37 - Mr. Hauck made a motion, seconded by Mr. Brosend, to adopt Resolution #2014-14, that Manchester Township accepting dedicated rights-of-way and authorizing dedication to the Commonwealth of Pennsylvania for Whitecomb Tract, Roosevelt Avenue, due to upcoming road improvements on Roosevelt Avenue. Motion carried. Ayes-5 Nays-0.

Item #39 - Mr. James requested board guidance on a request by Michelle Kane, Woodmont Homeowners Association President, to implement snow emergency routes with the Woodmont Development. By consensus the board chose not to implement snow emergency routes in the township at this time.

Item #40 - Mr. Hauck made a motion, seconded by Mr. Brosend, to approve the sanitary sewer transfer request of two (2) EDU's of Dover Township Wastewater Treatment Plant capacity to Woodhaven Building and Development, Inc. to Sonshine I, L.P. relative properties at 3255 and 3265 Raintree Road. Motion carried. Ayes-5 Nays-0.

OTHER BUSINESS/REPORTS

Mr. James reported that Engineer Treglia had submitted the October 14, 2014 Engineer's Report.

Mr. James reported that Fire Chief McCoy had submitted the September 2014 monthly report.

EXECUTIVE SESSION (8:28 – 9:16 pm)

As suggested by Solicitor Keiter and Attorney Mahoney the board recessed to an executive session for legal matters relative to the draft Consent Order and Agreement with the Pennsylvania Department of Environmental Protection; and York County C.C.P. No. 2013-SU-002664-84 – Roger Gibellino vs. Manchester Township.

APPROVAL OF VOUCHERS

Mr. Wingert made a motion, seconded by Mr. Hauck, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: September 10 – 23; September 24 – October 7; and October 8 – 14, 2014. Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 9:17 pm.

Respectfully submitted,

Timothy R. James, Secretary

TRJ/jas