

**MANCHESTER TOWNSHIP  
BOARD OF SUPERVISORS**

**November 11, 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, November 11, 2014, which was called to order at 7:00 p.m. by Chairperson Wingert.

**PARTIES PRESENT**

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

**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 October 14, 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 YAUFRC Commission and Manchester Township in an attempt to begin negotiations for Manchester Township to become a charter member of YAUFRC. On December 10, 2013 the board adopted a resolution that Manchester Township move forward with negotiations with the YAUFRC Commission in an attempt to consolidate the fire service in the future. Chief McCoy reported that on April 15, 2014 the YAUFRC Commission approved a proposed agreement be offered to Manchester Township for consideration for an immediate identity transfer from Manchester Township to YAUFRC; for continued chief management services and including payroll services beginning January 1, 2015 for \$4,500 monthly (beginning in 2015). On May 13, 2014 the board authorized the chairperson or vice-chairperson to execute the YAUFRC 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. Ms. Wingert reported she attended the latest YAUFRC Strategic Planning meeting on October 21, 2014.

### **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 stated that due to the negotiation and confidentiality of the report, Solicitor Keiter suggested the report be distributed to and discussed by the board in an executive session. J.T. Hand, Vice-President of the York Water Co. at the August 12, 2014, formally presented to the board of supervisors York Water Company's interest in the purchase of the township sanitary sewer system. Mr.

Hand reported on the history of the York Water Company, proposed maintenance programs, rate procedures and York Water Company's philosophy on expanding into the sanitary sewer business. 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. Mr. Brosend stated that due to his employment obligations, he may recuse himself from any board action that may occur related to York Water Company's pursuance of the township sanitary sewer system. Mr. Brosend stated he is employed by a broker dealer Janney Montgomery Scott, who has investment banking business that includes clients such as York Water Company. Mr. Brosend also stated his firm follows and published equity research for York Water Company and his firm has a public finance business that includes clients such as York Water Company, Manchester Township and Manchester Township Sewer Authority. Mr Brosend also stated he would not personally benefit financially if Manchester Township's sewer system is or is not sold to the York Water Company.

#### **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. 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. On September 9, 2014 the board authorized Attorney Mahoney to (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. James reported that Attorney Mahoney is in process of responding to the draft Consent Order Agreement proposed by DEP.

**2015 Budget**

As summarized in item #5 of the manager's report, Mr. James reported that he distributed a draft copy #2 or proposed 2015 budgets to the board for review and comment. Mr. James advised that the distribution of the 2015 proposed budgets for board consideration with consideration of adoption being scheduled for the December 9, 2014 meeting.

Mr. James advised that the 2015 draft #2 or proposed budget shows three scenarios for board review and consideration: Scenario #1 - revised figures to the draft budget presented on October 14, 2014; Scenario #2 – revised figures as proposed in Scenario #1 with the inclusion of an increase in the refuse fees from \$100 to \$152 annually, with additional revenues directly targeted to capital purchases for Public Works equipment, parks improvements and administrative equipment purchases; Scenario #3 – a reduction of \$500,000 from draft budget submission by reducing and eliminated non-essential costs (i.e.: maintenance repairs, road projects, Summer Fun Festival, Summer Playground Program and all capital purchases). Mr. Brandstedter questioned costs associated with health insurance, memberships, parks construction wages and revenue projections versus actuals. Mr. Wingert suggested the board consider increasing the refuse fees from \$100 to \$152 annually, representing the true costs associated with refuse.

After further discussion, Mr. Wingert made a motion, seconded by Mr. Hauck, to authorize that the proposed 2015 budgets in Scenario #2, to include an increase in trash fees from \$100 to \$152 effectively January 1, 2015 be placed on public display and advertised for final adoption at the December 9, 2014 meeting. Motion carried. Ayes-4 Nays-1 (Brandstedter opposed).

**CPA Appointment – 2014 Financial Statements**

As summarized in item #6 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Wingert, to adopt said resolution to appoint Kochenour, Earnest, Smyser & Burg, CPA, to prepare the audit/financial report of Manchester Township's 2014 financial records at the quoted fee of \$14,350. Motion carried. Ayes-5 Nays-0.

**NEW BUSINESS****2015-2017 Mowing Contracts**

As summarized in item #30 of the manager's report, after review of the 2015-2017 mowing service bids, from bid opening on November 5, 2014, by consensus the board rejected all bids submitted due to irregularities and directed the staff to rebid the 2015-2017 mowing services.

**Stormwater Agreements**

As summarized in item #8 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize board chairperson or vice-chairperson to execute stormwater and maintenance agreements for 1) York County Resource and Recovery Center, 2653 Blackbridge Road, relative to site improvements; and 2) York County

Resource and Recovery Center Recycling Drop-Off Center, 2685 Blackthorne Court, relative to site improvements. 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.

**MANAGER'S REPORT -**

- Item #12 - The board by consensus agreed to consider Keith Bailey, 796 Rishel Drive, as an alternate to the zoning hearing board to fill current alternate vacancy at the reorganizational meeting of January 5, 2015.
- Item #28 - Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the installation of a public hydrant in the vicinity of 3625 Mia Brae Drive per request by the York Water Company. Motion carried. Ayes-5 Nays-0.
- Item #29 - Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize the chairperson or vice-chairperson to execute an agreement with Buchart Horn, Inc. to produce a Manchester Township interceptor hydraulic study for \$5,500 relative to the corrective action plan with the Pennsylvania Department of Environmental Protection. Motion carried. Ayes-5 Nays-0.
- Item #30 - After reviewing 2015-2017 mowing bid submissions from November 5, 2014 bid opening, the board took the action to reject all bid submissions due to irregularities and direct the staff to rebid the services for reconsideration.
- Item #31 - Mr. Brandstedter made a motion, seconded by Mr. Brosend, to ratify the appointment of Michael Ibberson as a paid firefighter/EMT in accordance with Section 6 of the February 16, 1991 agreement with the Alert Fire Company. Motion carried. Ayes-5 Nays-0.

**OTHER BUSINESS/REPORTS**

Mr. James reported that Engineer Treglia had submitted the November 11, 2014 Engineer's Report.

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

Mr. James presented a request from Dewey Strine, 2535 Northland Avenue, for the creation/designation of a handicap parking space in front of his residence. Mr. James stated that Mr. Strine has submitted his handicap placard/identification information related to his request. Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the solicitor to advertise an ordinance update to establish a handicap parking space at 2535 Northland Avenue. Motion carried. Ayes-5 Nays-0.

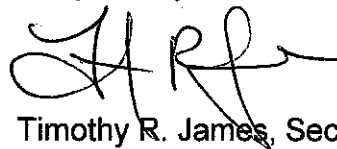
**APPROVAL OF VOUCHERS**

Mr. Wingert made a motion, seconded by Mr. Brandstedter, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: October 15 - 21; October 22 - October 28; October 29 - November 4; and November 5 - 11, 2014. Motion carried. Ayes-5 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 8:27 pm.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas