

**MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS**

March 10, 2015

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, March 10, 2015, 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
Rodney K. Brandstedter, Supervisor	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 February 10, 2015 meeting. Motion carried. Ayes-4 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.

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 will recuse himself from any board action that may occur related to York Water Company's pursuance of the township sanitary sewer system. Mr. James reported that Supervisors Lisa Wingert and Hauck met with Mr. Hand to apprise him that the board agreed to continue negotiations at a reasonable pace.

Emergency Bypass Pumping – DEP

As summarized in items #4 and #37 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. Attorney Mahoney reported that he submitted a draft Consent Order and Agreement to the board for review. Mr. James reported that Attorney Mahoney submit the draft Consent Order and Agreement to DEP in mid-December. Attorney Mahoney and Engineer Terry Myers were present to review the draft Consent Order and Agreement with the board. After discussions, the board by consensus authorized the draft Consent Order and Agreement developed by Attorney Mahoney be forwarded to DEP for consideration on February 10, 2015. Mr. James reported that Attorney Mahoney has been informed by DEP that they are not satisfied with the current status of the meter readings and have requested a technical meeting in April to possibly consider an interceptor upgrade project sooner than anticipated.

NEW BUSINESS**Leg Up Farmers Market, LLC – Review #2015-01**

Mr. James reported that the Leg Up Farmers Market, LLC – Review #2015-01 plan has been tabled to a future board meeting.

Sewer Project Authorization

As summarized in item #7 of the manager's report, Engineer Treglia reported the contractor bids were opened on February 17, 2015 for the sanitary sewer main replacement projects on Caspian Drive (Manhole #271 to #272 and #276 to #277); Stonehenge Drive (Manhole #356 to #357); Wicklow Drive (Manhole #342 to #344 and Lateral at #1389); Brafferton Court (Manhole #122 to #122A); Sorrel Street (Manhole #393 to #394); and Riding Silks Lane (Manhole #303 to #304 and #316 to #304) to Shiloh Paving and Excavating, Inc. who was low bidder with a total bid (base and alternate) of \$199,111 and that he recommends awarding the bid accordingly.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to award the bid for the sanitary sewer main replacement projects on Caspian Drive (Manhole #271 to #272 and #276 to #277); Stonehenge Drive (Manhole #356 to #357); Wicklow Drive (Manhole #342 to #344 and Lateral at #1389); Brafferton Court (Manhole #122 to #122A); Sorrel Street (Manhole #393 to #394); and Riding Silks Lane (Manhole #303 to #304 and #316 to #304) to Shiloh Paving and Excavating, Inc. for a total bid (base and alternate) of \$199,111.

Motion carried. Ayes-4 Nays-0.

Fire Police Authorization

As summarized in item #8 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the Alert Fire Company Fire Police to provide non-emergency traffic control assistance on the following dates/times:

- a) May 2, 2015 beginning at 8:30 am until 1:00 pm at the York County Solid Waste Authority, 915 Woodland View Drive, for the spring household hazardous waste collection event.
- b) May 2, 2015 beginning at 8:00 am until 2:00 pm at Cousler Park, 1060 Church Road, for the Manchester Township-sponsored "Spring Fling" event.
- c) August 1, 2015 beginning at 3 pm until conclusion at Cousler Park, 1060 Church Road, for the Manchester Township-sponsored "Summer Fun Festival" event.

Motion carried. Ayes-4 Nays-0.

Lamar Billboard Lease

As summarized in item #9 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the chairperson or vice-chairperson to execute a two-year lease with Lamar Outdoor Advertising for a \$3,000 annual revenue and use of the board at Stillmeadow Park for special events; and \$1,500 annual revenue or 35% of

revenue generated from advertisement, whichever is higher for the I-83 Industrial Park board, until the time trees are removed, and then the annual fee would increase to \$3,000 or 35% of revenue generated from advertisements of said board, whichever is higher. Also included as part of the negotiation was if or when an electronic board is installed at the I-83 Industrial Park site, the township has the right to renegotiate the terms of the lease agreement. Motion carried. Ayes-4 Nays-0.

Municipal Emergency Operations Plan Update

As summarized in item #10 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize the chairperson or vice-chairperson to execute the emergency operations plan review, maintenance and concurrence form in cooperation with the York County Emergency Operations Plan and the Pennsylvania Emergency Management Services Code. Motion carried. Ayes-4 Nays-0.

Comcast Cable Franchise Fee Audit

As summarized in item #11 of the manager's report, Mr. James reported that after inquiring per board's direction on the possibility to have a cable franchise fee audit performed on a contingency basis, the current agreement prohibits contingency fee based audits. Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the Cohen Law Group to perform a franchise fee audit relative to the current ten year (2010-2020) cable franchise agreement with Comcast of Southeastern Pennsylvania, LLC for a flat fee of \$3,900 due. Motion carried. Ayes-4 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.

Northern York County Regional Police Department (NYCRPD) Chief Mark Bentzel was present to present 2014 statistics relative to police calls in Manchester Township. Chief Bentzel reviewed various 2014 statistics including total calls in the township of 7,769. Chief Bentzel also reported NYCRPD's work with various projects including county heroin task force, aggressive and drunk driving enforcement programs.

Laura Frazier, 1085 Dandelion Drive, questioned if the board had made a decision on contracted mowing services for 2015-2017. Mr. James reported the board awarded the contracted mowing services to The Ground Guys on December 9, 2014.

MANAGER'S REPORT -

Item #12 - Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the hiring of a fire fighter position at the annual starting salary in accordance to the 2013-2015 Collective Bargaining Agreement.

Motion carried. Ayes-4 Nays-0.

Item #13 - Mr. James reported Robert Bissey has submitted his resignation as Emergency Operations Coordinator for Manchester Township effective

immediately. Mr. Wingert made a motion, seconded by Mr. Hauck, to recommend to Governor Wolf that Fire Chief Robert McCoy serve as the Emergency Operations Coordinator for Manchester Township.

Motion carried. Ayes-4 Nays-0.

Item #14 - Mr. Hauck made a motion, seconded by Mr. Wingert, that due to ongoing construction at the York County Solid Waste and Refuse Authority facilities, to authorize a traffic study be performed by the ELA Group, Inc. to consider parking restrictions on Blackthorne and Blackgum Courts.

Motion carried. Ayes-4 Nays-0.

Item #26- Mr. James reported receiving notification from Manchester Township Emergency Management Deputy Coordinator that the biennial Three Mile Island emergency response drill that is observed by the Federal Emergency Management Agency will be held on Tuesday, April 14, 2015 at the municipal complex and a training session will be held on March 31, 2015 at 6:30 pm.

Item#36- Mr. James presented a request from James and Danielle Stemrich for an expansion of a paved surface onto a township sanitary sewer right-of-way at 3405 Raintree Road. Christopher Weeks, 3415 Raintree Road expressed concern with the request. After discussion the board agreed to table the request to gather additional information and consider the request in the future.

EXECUTIVE SESSION (York Water Co. Negotiations)

Chairperson Wingert called the board for adjournment to executive session from 8:15 – 8:48 pm to discuss York Water Company – Township Sanitary Sewer offer negotiations.

OTHER BUSINESS/REPORTS

Mr. James reported that Fire Chief McCoy had submitted the February 2015 monthly report.

Mr. James reported receipt of the Northern York County Regional Police Department February 17, 2015 report.

Mr. James reported that Engineer Treglia had submitted the March 10, 2015 engineer's report.

APPROVAL OF VOUCHERS

Mr. Hauck made a motion, seconded by Mr. Wingert, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: February 11 – 24; February 25 – March 10, 2015. Motion carried. Ayes-4 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 8:48 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TRJ', with a long horizontal flourish extending to the right.

Timothy R. James, Secretary

TRJ/jas

