

**MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS**

February 9, 2016

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, February 9, 2016, 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, Assistant Secretary
Kenneth D. Wingert, Supervisor	Lawrence V. Young, 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. Wingert, to approve the minutes of the January 4, 2016 reorganizational and regular meetings as submitted. Ayes-5 Nays-0. Motion carried.

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. Chief McCoy reported that a meeting was held on April 14, 2015 with union representatives of both Manchester Township Department of Fire Services and YAUFRC to begin discussions related to collective bargaining agreements. Mr. James reported that he, Supervisors Lisa Wingert and Brosend met with Chief McCoy, YAUFRC Solicitor Hovis, YAUFRC Commissioners Phan and Hunt on August 17, 2015 to discuss consolidation consideration. Mr. Brandstedter expressed concern with entering into an agreement with the unclear exit option. Mr. James stated the agreement terms would need to be negotiated. The board took action on September 8, 2015 to submit a letter of joinder consideration to the York Area United Fire and Rescue Commission. Chief McCoy reported work continues on merged agreement draft.

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 valuation services. 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. On April 14, 2015 the board took action to request the municipal authority review the York Water Company offer and provide the board with a recommendation on the negotiations. It was reported that the municipal authority on April 23, 2015 made a recommendation to the board to postpone negotiations of the offer by York Water Company to purchase the township sanitary sewer system until a final determination is made by the Pennsylvania Department of Environmental Protection draft Consent Order and Agreement. On May 12, 2015 the board authorized the staff to seek proposals from certified accounting firms in order to generate a cost valuation analysis of a sale or non-sale of sanitary sewer system. On July 14, 2015 the board took action to authorize Reinsel Kuntz Leshner CPA to complete a cost valuation analysis of the sale or non-sale of the sanitary sewer system for a fee of not to exceed \$10,000. Mr. James stated he had nothing new to report.

Emergency Bypass Pumping – DEP

As summarized in item #4 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 submitted 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, but has not received confirmation on meeting date. On May 12, 2015 Mr. Mahoney updated the board of continued discussion with DEP; York City Sewer Authority and Manchester Township in executive session. Mr. James reported that 53 house inspections required within the CAP and draft Consent Order and Agreement were completed by Code Administrators, Inc. over the weekends of October 24 and 31, 2015 with a majority of illegal connections located in developments built in the 1950-1960's.

NEW BUSINESS

Berkshire Business Park - Lot 1C – Review #2015-14

David Koratich of LSC Design, was present to present a final land development plan for a 1.15 acre parking facility located at 3639 Sandhurst Drive in an industrial zoning district. Mr. Koratich explained that this plan is a separate lot in the Berkshire Business Park directly across the street from building and is planned to handle 137 parking spaces including 6 handicap parking spaces.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the following waivers:

- a) W1- From section 26-131K to permit storm water management facilities within a building setback.
- b) W2 – From section 26-138.c.1c to permit the side slopes of a storm water management basin to be greater than 4 to 1 – permitted if a planting schedule is provided with low maintenance ground cover.

Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the final land development plan for Berkshire Business Park – Lot 1C - Review #2015-14 contingent of completion of any open items.

Motion carried. Ayes-5 Nays-0.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the chairperson or vice-chairperson to execute storm water management operations and maintenance agreement for Berkshire Business Park – Lot C – Review #2015-14.

Motion carried. Ayes-5 Nays-0.

2016 Street Construction Schedule

As summarized in item #5 of the manager's report, Mr. James reviewed the proposed 2016 street construction and resurfacing projects.

Mr. James explained the number of actual projects which will be completed during the construction season will be affected by: a) prevailing wage rate applicability as identified in the January 12, 2009 letter from James A. Holzman, Deputy Chief Counsel of Governor's Office of General Counsel; b) any price increases in bituminous materials and stone which may occur at the annual contract bid opening; c) delays in resolving right-of-way or utility pole relocation issues; d) the amount spent for winter maintenance materials and equipment rental; and, e) the amount of Highway Aid funds which are actually received from PennDOT.

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the following list of streets identified in item #5 of the manager's report as the 2016 Highway Aid construction projects, and to authorize the staff to notify PennDOT about which projects will be funded by the 2016 Highway Aid (Liquid Fuels) Fund:

a)	Brian Ln.		Resurface	\$ 8,400
b)	Brittany Dr.		Resurface	\$ 33,760
c)	Eleventh Ave.	Rt. 30 – N. George	Resurface	\$ 11,334
d)	Karyl Ln.		Resurface	\$ 7,700
e)	Locust Ln.	Meadowbrook – N. George	Resurface	\$ 10,267
f)	Montevue Dr.		Resurface	\$ 5,334
g)	Peppermill Ln.		Resurface	\$ 4,053
h)	Primrose Ln.	St. Andrews – Stevenson	Resurface	\$ 3,734
i)	Queen St.		Resurface	\$ 6,600
j)	Robin Hill Cir.		Resurface	\$ 19,947
k)	Sandhurst Dr.	Church Rd. – 1600' N	Resurface	\$ 19,200
l)	Sinking Springs Ln.	Susq. Tr. – N. George	Resurface	\$ 43,400
m)	Stonehenge Dr.	Brittany – Wicklow	Resurface	\$ 9,814
n)	Willow Springs Cir.	North	Resurface	\$ 15,300
o)	Woodmont Dr.	Susq. Tr.- Robin Hill Cir.	Resurface	\$ 13,547

p)	Pennsylvania Ave.	Rt.30 – Willis Run (Split with York City)	Construction	\$ 92,000 (MT contr.)
q)	Sinking Springs Ln.	Susq. Tr. – N. George	Construction	\$ 53,475

Motion carried. Ayes-5 Nays-0.

Resolution #2016-06 – Public Works Department Equipment Rental Rates

As summarized in item #6 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt a resolution that establishes the 2016 equipment rental and labor rates for use of township-owned equipment or personnel by other municipalities or parties with the rates and descriptions being consistent with the current Federal Emergency Management Agency (FEMA) approved hourly rates for public works equipment. Motion carried. Ayes-5 Nays-0.

York County Joint Fuel Purchasing 2016-2017

As summarized in item #7 of the manager's report, Mr. Wingert made a motion, seconded by Mr. Brandstedter, to authorize participation in the York County Joint Fuel Purchasing program for 2016-2017. Motion carried. Ayes-5 Nays-0.

Fire Police Authorization

As summarized in item #8 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to approve the January, 2016 Alert Fire Company Fire Police roster submitted by Fire Chief McCoy. Motion carried. Ayes-5 Nays-0.

Emergency Services Agreement Mutual Aid Agreement

As summarized in item #9 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to authorize the chairperson or vice-chairperson to execute the ambulance mutual aid agreement with Springettsbury Township Emergency Medical Services for ambulance services. Motion carried. Ayes-5 Nays-0.

Emergency Management Agency – Regional Intergovernmental Cooperative

As summarized in item #10 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the solicitor to advertise an ordinance establishing an intergovernmental agreement to participate in the York Area Regional Emergency Management Agency with Spring Garden and Springettsbury Townships, subject to the participation of the other entities. Motion carried. Ayes-5 Nays-0.

In addition, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to recommend to Governor Wolf that York Area United Fire and Rescue Battalion Chief Daniel Woods serve as Manchester Township's Emergency Operation Coordinator. Motion carried. Ayes-5 Nays-0.

Handicap Parking Request – 3249 Broad Street

As summarized in item #11 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to authorize the solicitor to advertise an ordinance to create a handicap parking space at 3249 Broad Street. Motion carried. Ayes-5 Nays-0.

Sewer Capacity Transfer

As summarized in item #14 and #40 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Wingert, to approve the sanitary sewer transfer requests:

- a) Transfer of 700 GPD of York City Wastewater Treatment Plant capacity from Spring Meadows Reserve (Michael Rutter) to Anthony and Veronica Gemma, 2850 Halstead Lane.
- b) Transfer of 6,528 GPD of York City Wastewater Treatment Plant capacity from Manchester Township to Clearview Associates for proposed hotel at 1520 Toronita Street.
- c) Transfer of 300 GPD of Dover Township Wastewater Treatment Plant capacity from George McGee to Sarah and Kevin Brick for property at 1320 Briargate Drive.

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.

Boy Scout's Peter Jenkins and Aden Frazier were in attendance as a requirement in obtaining their communication badge.

Robert Ames, 1128 Hogans Cove, was present to express concern with snow removal efforts from the January 22, 2016 Snowstorm Jonas. Mr. Ames commented he felt snow removal priority streets should be considered which have residents with medical concerns that may reside on said streets. Michelle Seitzinger, 1144 Sarazen Way, also expressed concern that her husband, who is a doctor, had difficulty getting to work during the snow removal process.

Patricia Ames, 1128 Hogans Cove, was present to question the board's intentions with future township ambulance services relative to rumors.

Steve Schaffer, 2686 Stillmeadow Lane, was present to follow-up his request for the installation of a storm inlet in close proximity to his property. Engineer Treglia reported the estimated cost of the installation would be \$7,000-\$8,000. The board expressed concern with installing an inlet for the benefit of a single residence. Mr. Schaffer reported he had spent \$7,000 on his property to try to remedy the storm water concerns coming from Stillmeadow Lane. The board agreed to review and consider the request.

EXECUTIVE SESSION - (MTCFFA Collective Bargaining Agreement Negotiations / Cell Tower Appeal)

Chairperson Wingert called the board for adjournment to executive session from 8:49-9:14 pm to discuss ongoing Manchester Township Career Fire Fighters Association collective bargaining agreement negotiations and Cousler Park Cell Tower appeal.

MANAGER'S REPORT -

Item #12 - Mr. Brosend made a motion, seconded by Mr. Hauck, to authorize township manager hire Chris Butler for vacant laborer/operator position at a starting rate of \$17.60. Motion carried. Ayes-5 Nays-0.

- Item #13 - Mr. Hauck made a motion, seconded by Mr. Brandstedter, to ratify the issuance of the declaration of emergency on January 22, 2016 that suspended the commercial driver's license (CDL) work hours rules for township public works department employees who operated commercial motor vehicles during the January 22, 2016 snow emergency. Motion carried. Ayes-5 Nays-0.
- Item #26 - Engineer Treglia discussed a conceptual plan and cost estimate for stormwater improvements for the Detwiler/Brittany Drive area. After a discussion the board requested the conceptual plan be distributed to the homeowners association representing the Brittany area.
- Item #27- Mr. James reminded board members the "Statement of Financial Interest" forms as required by the Pennsylvania Public Officials and Employees Ethics Law of 1978 must be completed and filed with the municipal secretary by May 1, 2016.
- Item #41- Mr. James reported estimated costs associated with the January 22, 2016 Snowstorm Jonas are expected to surpass \$50,000 in labor, equipment and contracted service costs. The board requested the implementation of a process to improve communication with the public on snow events.

OTHER BUSINESS/REPORTS

Mr. James reported that Fire Chief McCoy had submitted the December 2015 and January 2016 monthly reports.

Mr. James reported that Engineer Treglia had submitted the February 9, 2016 engineer's report.

Mr. James reported that Zoning/Planning Officer Olewiler submitted the 2015 Zoning Annual Report.

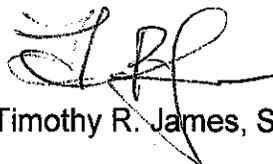
APPROVAL OF VOUCHERS

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: January 5-12; January 13-26; January 27-February 9, 2016. Ayes-5 Nays-0. Motion carried.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 9:14 pm.

Respectfully submitted,



Timothy R. James, Secretary