

**MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS**

February 14, 2017

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 14, 2017, which was called to order at 7:00 p.m. by Chairperson Lisa 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, Assistant Secretary
Lawrence V. Young, Esq., Solicitor
B.J. Treglia, P.E., C.S. Davidson, Inc.

RECOGNITION OF RETIREMENT

Chairperson Wingert, Fire Chief Hoff and Battalion Chief Madzellan recognized recently-retired Firefighter Greg Moul and Assistant Fire Chief Michael Miller for their service of 26 and 17 years respectively, with the Manchester Township Department of Fire Services.

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. Brandstedter made a motion, seconded by Mr. Wingert, to approve both the reorganizational and regular meeting minutes of the January 3, 2017 meeting 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 YAUFRR. 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 YAUFRR Commission to develop a financial analysis and that Mr. Kapoor provided general financial information that confirmed short and long term savings with merging with YAUFRR. Mr. James reported that following Manchester Township Board of Supervisors action on January 3, 2012 to request membership consideration by the YAUFRR Commission, Ms. Wingert received a January 27, 2012 letter from YAUFRR Chairperson William Schenck confirming acceptance of the membership consideration request. Chief McCoy presented the board with a draft memorandum of understanding between YAUFRR Commission and Manchester Township in an attempt to begin negotiations for Manchester Township to become a charter member of YAUFRR. On December 10, 2013 the board adopted a resolution that Manchester Township move forward with negotiations with the YAUFRR Commission in an attempt to consolidate the fire service in the future. Chief McCoy reported that on April 15, 2014 the YAUFRR Commission approved a proposed agreement be offered to Manchester Township for consideration for an immediate identity transfer from Manchester Township to YAUFRR; 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 YAUFRR 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 YAUFRR to begin discussions related to collective bargaining agreements. Mr. James reported that he, Supervisors Lisa Wingert and Brosend met with Chief McCoy, YAUFRR Solicitor Hovis, YAUFRR 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. Supervisor Wingert reported work continues on merged agreement draft. Chief Hoff reported the YAUFRR Commission would like the board to consider having two representatives from Manchester Township to participate in a non-voting role in YAUFRR Commission meetings. The board representatives Ms. Wingert and Mr. Brosend indicated they would attend future YAUFRR Commission meetings. Chief Hoff reported the YAUFRR Commission would like to restart discussions with Manchester Township on the joinder process. The board by consensus directed Chairperson Wingert and Supervisor Brosend to participate in the joinder discussions with a goal of completion in 2017.

Emergency Bypass Pumping – DEP

As summarized in item #3 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. Per DEP's CAP, continued house inspections are required of which the board by consensus authorized the completion of a second phase of 50 house inspections this spring. Mr. James reported that on June 27, 2016 township representatives, including Mr. Hauck, met with representatives of DEP and the City of York to discuss the impending Consent Order and Agreement for Manchester Township. Mr. James previously reported that DEP informed the township that the Consent Order and Agreement will be issued in the future and that the township and city have six (6) months to negotiate the interceptor cost distribution. Solicitor Young reported he had delivered the interceptor cost-sharing agreement authorized by the board on December 13, 2016, to the York City Sewer Authority's Solicitor Stacey

MacNeal for execution. Engineer Treglia provided updated costs estimates for the interceptor project to the board.

Alarm Systems – YAUFR

As summarized in item #4 of the manager's report, Solicitor Young reported a sample alarm ordinance requested by YAUFR Solicitor Steve Hovis for review was distributed to the board and staff. Solicitor Young reported Zoning/Planning Officer Olewiler had provided him with questions in advance of the meeting and suggested tabling discussion until additional information was discovered. Solicitor Young reported further discussions and information sharing is continuing, with no board action needed at this time.

Park Rules Ordinance

As summarized in item #5 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Hauck, to adopt Ordinance #2017-01 amending to the park rules ordinance that would prohibit disposal of trash not developed on park property.

Motion carried. Ayes-5 Nays-0.

NEW BUSINESS

2017 Street Construction Schedule

As summarized in item #6 of the manager's report, Mr. James reviewed the proposed 2017 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 #6 of the manager's report as the 2017 Highway Aid construction projects, and to authorize the staff to notify PennDOT about which projects will be funded by the 2017 Highway Aid (Liquid Fuels) Fund:

a)	Brian Ln.	Greenbriar Rd.-Karyl Ln.	Resurface	\$ 8,120
b)	Coldspring Rd.	Stillmeadow Ln.-Grouse Ln.	Resurface	\$ 26,667
c)	Garrison Dr.	St. Andrews Way-Stevenson Dr.	Resurface	\$ 3,467
d)	Karyl Ln.	Greenbriar Rd.-Brian Ln.	Resurface	\$ 7,700
e)	Olmstead Way	S. Maurice St.-Coldspring Rd.	Resurface	\$ 12,000
f)	Queen St.	11 th Ave.-10 th Ave.	Resurface	\$ 3,300
g)	Rockwood Ave.	Mayfield St.-Rutland Ave.	Resurface	\$ 9,900

h)	St. Andrews Way	Greenbriar Rd.-Brittany Dr.	Resurface	\$ 2,987
i)	Stevenson Dr.	Primrose Ln. N.-Cherry Hills Rd.	Resurface	\$ 19,200
j)	Brandywine Ln.	Kayla Blvd.-Bridge	Construction	\$115,641
k)	E. 10 th Ave.	Toronita St.-I-83	Construction	\$ 52,444
l)	Stillmeadow Ln.	Detwiler Dr.-Mill Creek Rd.	Resurface	\$ 77,327
m)	Farmbrook Ln.	Susq. Trail-culvert	Construction	\$111,056

Motion carried. Ayes-5 Nays-0.

Resolution #2017-06 – Public Works Department Equipment Rental Rates

As summarized in item #7 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to adopt a resolution that establishes the 2017 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.

Resolution #2017-07 – Tax Collector Rates – 2018-2021

As summarized in item #8 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to establish rates of compensation for the tax collector elected position for the 2018-2021 term of office as the following:

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|--------------------------------------|---------------------------|
| a) Real Estate Tax | \$1.60 per bill collected |
| b) Street Light Tax | \$1.60 per bill collected |
| c) Fire Hydrant Tax | \$1.60 per bill collected |
| d) Mercantile/Business Privilege Tax | 2% of taxes collected |

In addition set the tax collector's office monthly rental rate at \$190.00.

Motion carried. Ayes-5 Nays-0.

Fire Police Roster

As summarized in item #9 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to approve the January, 2017 Alert Fire Company Fire Police roster submitted by Fire Chief Hoff. Motion carried. Ayes-5 Nays-0.

Sale of Surplus Equipment

As summarized in item #10 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Hauck, to authorize the following surplus items: 2001 Ford Ambulance (\$3,300) and 2007 Ford Ambulance (\$11,600) be sold to respective high bidders through Municibid online auction. Motion carried. Ayes-5 Nays-0.

Resolution #2017-08 – On-Lot Sewage Enforcement Officer

As summarized in item #11 of the manager's report, Mr. Hauck made a motion, seconded by Mr. Brandstedter, to approve Resolution #2017-08 that authorizes the chairperson, or vice-chairperson, to execute the agreement with Pennsylvania certified Code Administrators, Inc., to serve as the primary Sewage Enforcement Officer for Manchester Township. 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 scouts Aidan Fraser, Austin Haraschak, Zachary Haraschak, Aaron Junkin, and Peter Junkin of Troop #150 as well as Hyrum Graver of troop #177 were in attendance to observe the meeting as a scouting requirement.

EXECUTIVE SESSION (8:00 – 8:19 p.m.)

The board met in executive session to discuss personnel matter with the recreation director position.

MANAGER'S REPORT –

- Item #14 - The board by consensus set a public hearing date of April 11, 2017 at 7:00 p.m. to hear recommendation by the Manchester Township Planning Commission that the township zoning ordinance map be amended to change the zoning on 19.81 acres of the total 23.79 acres of the parcel along the east side of the 1600 block of Roosevelt Avenue from the current zoning designation of Residential Low Density Open Space (RL) to Office (O).
- Item #19 - 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 #30 - Mr. Hauck made a motion, seconded by Mr. Brandstedter to authorize the chairperson or vice-chairperson to execute the two (2) year renewal of the Lamar Outdoor Advertising lease for its outdoor advertising sign located on township-owned Stillmeadow Park property on the Susquehanna Trail.
- Motion carried. Ayes-5 Nays-0.
- Item #31 - Mr. James reported that on January 11, 2017 the township received disaster relief reimbursement in the amount of \$44,598.14 from FEMA/PEMA for costs incurred with the January 22-24, 2016 Snowstorm Jonas.

OTHER BUSINESS/REPORTS

Mr. Hauck made a motion, seconded by Mr. Brandstedter, to accept Garth Ericson's resignation as Recreation Director effective February 3, 2017.

Motion carried. Ayes-5 Nays-0.

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 4-10; January 11-24; January 25-February 7; and February 8-14, 2017.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Mr. Hauck made a motion to adjourn the meeting at 8:20 pm.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/dkm