

**MANCHESTER TOWNSHIP  
BOARD OF SUPERVISORS**

**May 9, 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, May 9, 2017, which was called to order at 7:00 p.m. by Vice-Chairperson Delmar Hauck.

**PARTIES PRESENT**

Delmar L. Hauck, Vice-Chairperson	Timothy R. James, Manager/Secretary
David K. Brosend, Supervisor	Debra K. McCune, Assistant Secretary
Rodney K. Brandstedter, Supervisor	Lawrence V. Young, Esq., Solicitor
	B.J. Treglia, P.E., C.S. Davidson, Inc.

**PUBLIC COMMENT**

Vice-Chairperson Hauck invited the public to ask questions or offer comments about any item on the agenda as the board considers each item. He 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. Brosend, to approve the meeting minutes of the April 11, 2017 meeting as submitted. Motion carried. Ayes-3 Nays-0.

**UNFINISHED BUSINESS**

**York Area United Fire & Rescue Services Proposal**

As summarized in item #3 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. Supervisor Wingert reported work continues on merged agreement draft. Chief Hoff reported the YAUFRC Commission would like the board to consider having two representatives from Manchester Township to participate in a non-voting role in YAUFRC Commission meetings. The board representatives Ms. Wingert and Mr. Brosend indicated they would attend future YAUFRC Commission meetings. Chief Hoff reported the YAUFRC 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. Chairperson Wingert and Supervisor Brosend reported a meeting with YAUFRC Commissioners Hunt, YAUFRC Solicitor Hovis, Chief Hoff and Manager James on March 28, 2017 regarding joinder negotiations. Chief Hoff reported on continued joinder negotiation discussions. Mr. Brosend provided additional information regarding the joinder discussions.

### **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 reported on design and permitting efforts and on February 28, 2017 meeting with Supervisor Hauck, Manager James and Engineers with York City Sewer Authority regarding interceptor project logistics.

**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.

**NEW BUSINESS****Sewer Transfers****Resolution #2017-09 – Traffic Signal Permit – Small Cell Systems**

As summarized in item #5 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to authorize the chairperson or vice-chairperson to execute resolution to authorize the Manager/Secretary to submit Applications for Traffic Signal Approval to PennDOT relative to the three Verizon Small Cell System locations on Route 30.

Motion carried. Ayes-3 Nays-0.

**Ordinance #2017-03 – Intergovernmental Agreement – Route 30 Adaptive Signals**

As summarized in item #6 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to authorize Solicitor to advertise draft ordinance authorizing participation in an intergovernmental agreement with the City of York, Springettsbury Township and West Manchester Township for the collaborative maintenance, support and operational oversight with the Adaptive Signal Control Technology installed by PennDOT on the Route 30 corridor.

Motion carried. Ayes-3 Nays-0.

**Joint Line Painting**

As summarized in item #7 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Brandstedter, to authorize the 2017-18 joint line painting contract to D.E. Gemmill, Inc., Red Lion, PA as bid and opened by Lower Windsor Township on April 13, 2017.

Motion carried. Ayes-3 Nays-0.

**2018-2020 York County Community Development Block Grant**

As summarized in item #8 of the manager's report, Mr. Brandstedter made a motion, seconded by Mr. Brosend, to pass Resolution #2017-11 to submit an Emigsville sidewalk improvement project for the York County Community Development Block Grant 2018-2020 cycle.

Motion carried. Ayes-3 Nays-0.

**Sewer Rates**

As summarized in item #9, Mr. James reported distributing information to the board relative to current sewer rates as requested by the board in April 2017. Mr. James also reported that the costs associated with the York City Interceptor upgrade project are undetermined at this time, but will most likely be a 2018 project for budget consideration.

**Municipal Authority Appointment**

As summarized in item #10 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Brandstedter, to appoint Greg Zortman, 2580 Tara Lane to serve on the Manchester Township Municipal Authority for the vacancy with the remaining term of the December 31, 2020.

Motion carried. Ayes-3 Nays-0.

**Resolution #2017-10 – Fulton Bank Truck Lease**

As summarized in item #11 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Brandstedter, to authorize the manager to accept the January 9, 2017 for a five (5) year lease-purchase quotation of \$15,898.02 annually through Fulton Leasing Company for the lease-purchase of a 2017 Ford F-550 dump truck and snow plow through the Pennsylvania COSTARS cooperative purchasing program from the Apple Automotive, York, PA/Lancaster Truck Bodies, Inc., Lancaster, PA.

Motion carried. Ayes-3 Nays-0.

**RECOGNITION OF PUBLIC PRESENT**

In accordance with Act 93 of 1998 (Sunshine Law), Mr. Hauck recognized any members of the audience who wished to address the board.

**EXECUTIVE SESSION (8:02 pm – 8:35 pm)**

Mr. Hauck and Mr. Brosend called for an executive session to discuss the negotiations of the YAUFR joinder process.

**MANAGER'S REPORT –**

Item #13 - Mr. James reported receiving a complaint from Christopher Detwiler of the Brandywine Crossing Homeowners Association regarding speeding on Harvest Drive and Leaf Street. Mr. James reported NYCRPD will complete another speed study of area and place the sign board in area in the near future. Mr. James also reported Public Works Superintendent Goodyear has requested assistance from the Local Transportation Assistance Program on the concern.

Item #34 - Mr. Brandstedter made a motion, seconded by Mr. Brosend, to approve the utilization of the Alert Fire Company Fire Police to provide non-emergency traffic control assistance on Saturday, May 13, 2017 at York College for York College Commencement Ceremony.

Motion carried. Ayes-3 Nays-0.

**OTHER BUSINESS/REPORTS**

Mr. James reported that Fire Chief Hoff had submitted the April 2017 monthly report.

Mr. James reported that Engineer Treglia had submitted the May 9, 2017 engineer's report.

**APPROVAL OF VOUCHERS**

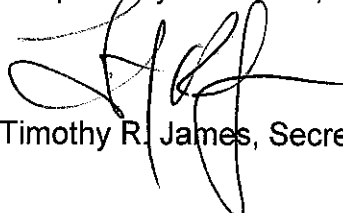
Mr. Brandstedter made a motion, seconded by Mr. Brosend, to approve the payment of the vouchers as listed on the Treasurer's Checks Vouchers List: April 12-18; April 19-25; and April 26-May 9, 2017.

Motion carried. Ayes-3 Nays-0.

**ADJOURNMENT**

Being no further business, Mr. Brandstedter made a motion to adjourn the meeting at 8:36 p.m.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas