

# MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

February 13, 2018

## 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 13, 2018, which was called to order at 6:30 p.m. by Vice-Chairperson Brandstedter.

## PARTIES PRESENT

Lisa D. Wingert, Chairperson (via internet)	Timothy R. James, Manager/Secretary
Rodney K. Brandstedter, Vice-Chair	Debra K. McCune, Assistant Secretary
David K. Brosend, Supervisor	Lawrence V. Young, Solicitor
Beth Brennan, Supervisor	B.J. Treglia, P.E., C.S. Davidson, Inc.
John W. Inch, Jr., Supervisor	Daniel Hoff, YAUFRR Fire Chief
	Stewart S. Olewiler, Zoning/Planning Officer

## HEARING – ZONING MAP AMENDMENT- J.G. Leasing, Inc. – Church & Bull Roads

The Manchester Township Board of Supervisors held an advertised hearing for a Zoning Map Amendment relative to J.G. Leasing, Inc., in the public meeting room of the Manchester Township Municipal Services Complex, 3200 Farmtrail Road, York, Pennsylvania, 17406 on Tuesday, February 13, 2018, which was called to order at 6:30 p.m. by Vice-Chairperson Brandstedter. Mr. Brandstedter explained the board of supervisors is considering an amendment to the township's zoning ordinance map to rezone 11.1 acre parcel along the northeastern corner of Church Road and Roosevelt Avenue from the current zoning of Residential Low Density to the Office zone. Attorney Jack Elliott served as the township's legal counsel with zoning map amendment due to conflict of interest with Solicitor Young's legal firm. Attorney Jeanie Katherman, with Katherman, Heim & Perry, LLC, on behalf of JG Leasing, Inc., presented a request to the board of supervisors amending the township's zoning ordinance so to allow the compatible development of the property with a desired mixture of office and health, wellness, medical and care related services and facilities on the western portion of the property along Roosevelt Avenue relative to the development of the Memorial Hospital. Frank and Arlene Jones, 1395 Church Road, questioned the maximum building height in an Office (O) zone. Emalou Brewer, 2193 Roosevelt Avenue, expressed traffic safety concerns with the current Church Road-Roosevelt Avenue-Kenneth Road intersections and the potential impact on development. With no further discussion, Mr. Brandstedter adjourned the hearing at 6:46 p.m.

## PUBLIC COMMENT

At 7:00 p.m., Vice-Chairperson Brandstedter called the regularly scheduled supervisors meeting to order and 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. Brosend made a motion, seconded by Mr. Inch, to approve the reorganization and regular meeting minutes of the January 2, 2018 meeting as submitted.

Motion carried. Ayes-4 Nays-0.

**UNFINISHED BUSINESS****Ordinance #2018-02 – Amend Zoning for Residential Low Density to Office**

As summarized in item #2 of the manager's report, Mr. Brandstedter reported the required public hearing for the consideration of a zoning amendment to the township's zoning ordinance was held at 6:30 p.m. on February 13, 2018. Mr. James reported that the proposed ordinance was advertised on January 30 and February 5, 2018. Mr. Inch made a motion, seconded by Ms. Brennan, to approve Ordinance #2018-02 amending the Code of Ordinances, (Chapter 27, Subsection 27-202) to modify the Manchester Township Zoning Map to rezone land from open space Residential Low Density (RL) to the Office (O) zoning district.

Motion carried. Ayes-4 Nays-0.

**Ridings Development Stormwater Facility**

As summarized in item #3 of the manager's report, Mr. James reported distributing letters to residents in Phases 3, 4 and 5 of the Ridings Development regarding the need to establish stormwater facility maintenance responsibilities for facility on Hambiltonian Way. Solicitor Young explained the adoption of Ordinance #2016-05 established the process for maintenance for facilities that are not properly maintained. Tac Thomas, 15 Riding Silks Lane questioned the township's efforts to find the absentee owner of the reason why there would be a need to maintain vegetation in a wetland area. Phil Keeney 1355 Hambiltonian Way, expressed concern with the costs and collection of fee if the residents were to undertake maintenance responsibilities. Carl Peckmann, 75 Riding Silks Lane, expressed concern about the legitimacy of the absentee facility owner and the liability associated with entering private property for maintenance reasons. Travis Peters, 45 Riding Silks Lane, questioned would the homeowners group be responsible for having liability coverage. Ken Wingert, 625 Olmstead Way, commented that Penn State Estates Homeowners Association takes care of collecting funds for the purpose of maintaining stormwater facilities and has been successful in doing so. Angela Myers, 1165 Futurity Drive, also expressed concern with responsibility associated with maintaining the facility. Mr. Brandstedter thanked the public for their comments and stated that the township would await a response from the homeowners by March 15, 2018 on the interest on forming a maintenance group.

**DEP Consent Order and Agreement/Interceptor Project**

As summarized in item #4 of the manager's report, Mr. James reported that the executed Consent Order and Agreement, approved by the board on January 2, 2018, and \$1,000 fine relative to the April 2014 bypass pumping activities, was received by Pennsylvania Department of Environmental Protection on January 22, 2018.

Engineer Treglia reported that the engineers for the York City section of the interceptor project have been given direction by the York City to realign a portion of their section due to substantial cost estimates with original alignment. Engineer Treglia stated the York City has not received the updated required permitting due to alignment change.

#### **Ordinance #2018-01 - Sewer Rates**

As summarized in item #5 of the manager's report, Solicitor Young reported that the proposed ordinance was advertised per requirements on January 29, 2018. Ms. Brennan made a motion, seconded by Mr. Brosend, to adopt Ordinance #2018-01 adjusting quarterly sewer rates to \$95.00 per quarter for residential customers in all sewer districts and \$2.96 per 1,000 gallons, with a minimum no less than \$95.00 for all non-residential customers effective July 1, 2018.

Motion carried. Ayes-4 Nays-0.

#### **York City Sewer – Intermunicipal Agreement**

As summarized in item #6 of the manager's report, Mr. James reported that there has been no further discussion regarding the York City Sewer – Intermunicipal Agreement since the last board of supervisors meeting.

#### **NEW BUSINESS**

##### **York Saw and Knife – Final Land Development Plan – Review #2017-11**

Andrew Miller of Rettew Associates, was present to present a final land development plan for an 8,320 square foot addition to an existing 52,377 square foot industrial facility on a 5.786 acre parcel located at 295 Emig Road in an Industrial (I) zoning district. Mr. Miller stated that the 8,320 square foot addition is to allow the current operations to achieve a better work flow within the facility. Mr. Miller also explained the proposed methods of storm water management for the expansion.

Mr. Brosend made a motion, seconded by Mr. Inch, to approve the following waivers:

- W1) Waiver requested of Section 22-709 of the SALDO to not provide along the property frontage.
- W2) Waiver requested of Section 22-703.2 of the SALDO to not provide concrete curbing along the property frontage.
- W3) Waiver requested of Section 26-133.B2 and 133.B.3 to forego any infiltration methods to meet volume control requirements.

Motion carried. Ayes-4 Nays-0.

Mr. Brosend made a motion, seconded by Mr. Inch, to approve the York Saw and Knife final land development plan, Review #2017-11, subject to completion of outstanding items.

Motion carried. Ayes-4 Nays-0.

**Welbourne Reserve Phase 1 – Final Subdivision Plan – Review #2018-01**

Trey Elrod of Gordon Brown and Associates and Greg Hill of London Croft, LLC were present to present final subdivision plan for Phase 1 (37 lots) of Welbourne Reserve located along the west side of the 3800 block of Susquehanna Trail in an Agricultural (A) zoning district. Mr. Elrod stated that the plan was for 35 residential lots, an add-on lot and a lot for a new pump station. Mr. Hill stated the plan incorporates twenty-eight (28) foot cart ways for interior streets.

Mr. Inch made a motion, seconded by Mr. Brosend, to approve the following waivers:

- W1) From Chapter 22, Section 22-709, the Manchester Township Subdivision and Land Development Ordinance, for the requirement to install concrete sidewalks.
- W2) From Chapter 26, Part 1, Section 26-131.11, the Manchester Township Stormwater Management Ordinance, for the requirement of stormwater management facilities meeting building setback requirements.
- W3) From Section 22-701.28 of the Manchester Township Subdivision and Land Development Ordinance to permit a cart way width of 28 feet rather than 32 feet within a 50 foot right of way for the interior streets of the development.

Motion carried. Ayes-4 Nays-0.

Mr. Inch made a motion, seconded by Mr. Brosend, to approve the Welbourne Reserve Phase 1 Final Subdivision Plan, Review #2018-01, subject to completion of outstanding items.

Motion carried. Ayes-4 Nays-0.

**Ambulance Service**

As summarized in item #8 of the manager's report, Chief Hoff reported on ongoing cost, labor and maintenance concerns with the current and future ambulance service provided by Manchester Township. After a lengthy conversation, Mr. Brosend made a motion, seconded by Ms. Brennan, directing staff to prepare Request for Proposals for contracted ambulance services at the current level or an improved level of service that presently exists; and agree to a Memorandum of Understanding with the Manchester Township Career Fire Fighters Association not eliminating positions to current employees due to the termination of township ambulance service.

Motion carried. Ayes-4 Nays-0.

**2018 Street Construction Schedule**

As summarized in item #9 of the manager's report, Mr. James reviewed the proposed 2018 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.

Ms. Brennan made a motion, seconded by Mr. Brosend, to approve the following list of streets identified in item #6 of the manager's report as the 2018 Highway Aid construction projects, and to authorize the staff to notify PennDOT about which projects will be funded by the 2018 Highway Aid (Liquid Fuels) Fund:

a)	Bitternut Blvd.	Balsa St.- Lewisberry Rd.	Resurface	\$ 14,085
b)	Braeburn Ct.	Murifield St. - cul-de-sac	Resurface	\$ 4,560
c)	Briargate Dr.	Stonehenge Dr. - Rosepointe Dr.	Resurface	\$ 14,440
d)	Cashew Ct.	Sorrel St. - cul-de-sac	Resurface	\$ 3,293
e)	Chesterbrook Dr.	Friesian Rd. - cul-de-sac	Resurface	\$ 14,795
f)	Duela Ct.	Greenbriar Rd. - cul-de-sac	Resurface	\$ 10,046
g)	Dulcy Dr.	Grouse Ln. - Coldspring Rd.	Resurface	\$ 5,776
h)	Garrison Dr.	Stevenson Dr.-35' - St. Andrews Way	Resurface	\$ 3,901
i)	Grouse Ln.	Coldspring Rd. - Stillmeadow Ln.	Resurface	\$ 14,339
j)	Hackberry Ln.	115'W - Bitternut Blvd. - cul-de-sac	Resurface	\$ 14,389
k)	Ironstone Dr.	Masonic Dr. - Skyview Dr.	Resurface	\$ 3,293
l)	Mayfield St.	Woodland View Dr. - Eastland Ave.	Resurface	\$ 7,781
m)	Murifield St.	Persimmon Dr. - cul-de-sac	Resurface	\$ 7,853
n)	Pampas Dr.	Grouse Ln. - Olmstead Way	Resurface	\$ 4,915
o)	Paul St.	Northland Ave. - Mayfield St.	Resurface	\$ 3,183
p)	Rutland Ave.	Eastland Ave. - Woodland View Dr.	Resurface	\$ 4,912
q)	Skyview Dr.	Ironstone Dr. - 100'E-Mayfield St.	Resurface	\$ 13,883
r)	Sorrel St.	Lewisberry Rd. - Bitternut Blvd.	Resurface	\$ 16,213
s)	St. Andrews Way	Greenbriar Rd. - Garrison Dr.	Resurface	\$ 9,728
t)	Masonic Dr.	N. George St. - Northpoint Dr.	Construction	\$135,499
u)	Locust Ln.	I-83 - Meadowbrook Blvd.	Construction	\$ 24,548

Motion carried. Ayes-4 Nays-0.

#### **Resolution #2018-07 – Public Works Department Equipment Rental Rates**

As summarized in item #10 of the manager's report, Mr. Inch made a motion, seconded by Ms. Brennan, to adopt a resolution that establishes the 2018 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-4 Nays-0.

**Sewer Capacity Transfer**

As summarized in item #11 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Inch, to authorize the board chairperson or vice-chairperson to execute the following acquisitions/transfers of reserved sewer capacity:

- a) Acquisition of (10) EDUs (3,500 GPD) of York City Sewer Treatment capacity from Manchester Township to CityView Office Park, BAM Roosevelt Avenue, LLC, for medical office complex development at 1695 Roosevelt Avenue.

Motion carried. Ayes-4 Nays-0.

**2018 Fire Police Roster**

As summarized in item #12 of the manager's report, Mr. Brosend made a motion, seconded by Ms. Brennan, to approve the January, 2018 Alert Fire Company Fire Police roster submitted by Fire Chief Hoff.

Motion carried. Ayes-4 Nays-0.

**Truck Restrictions**

As summarized in item #13 of the manager's report, Mr. James reported that the township has received a number of complaints from residents in the North George Street area relative to tractor trailer truck traffic on side streets east of North George Street. Mr. James stated that Traffic Engineer Henise has reviewed the concerns and recommended the board consider a truck restriction on effected side streets. Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Solicitor advertise a proposed ordinance to place truck restriction to prohibit trucks larger than 30 feet in length on Skyview Drive, Hake Street, Nagow Street, Ironstone Drive and Hayshire Drive and to prohibit trucks larger than 45 feet in length on Masonic Drive.

Motion carried. Ayes-4 Nays-0.

**YAMPO "Report on Congestion" Signal Timing Project – Memorandum of Understanding**

As summarized in item #14 of the manager's report, Mr. James reported that York Area Metropolitan Planning Organization (YAMPO) had recently completed a Report on Congestion and that YAMPO is undertaking an evaluation of traffic signals throughout the county over the next three years. Mr. James reported that the first year YAMPO is planning to evaluate Manchester Township signals at no cost. Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Chairperson or Vice-Chairperson to execute a Memorandum of Understanding with the York County Planning Commission relative to the York Area Metropolitan Planning Organization's signal timing project.

Motion carried. Ayes-4 Nays-0.

**Toronita Street Bridge Construction Project**

As summarized in item #15 of the manager's report, Engineer Treglia reported on the Toronita Street Bridge project bid opening that took place on February 8, 2018 via PennBid. Engineer Treglia reported that after review of bid documents he

recommended that Bi State Construction Co., Inc. be awarded the construction contract for the Toronita Street Bridge project at the low bid of \$358,487.50. Mr. Brosend made a motion, seconded by Mr. Inch, to enter into an agreement with Bi State Construction Co., Inc. for the construction/repair of the Toronita Street Bridge at a bid cost of \$358,487.50

Motion carried. Ayes-4 Nays-0.

**Resolution #2018-08 – Emergency Operations Plan – Update**

As summarized in item #16 of the manager's report, Mr. Brosend made a motion, seconded by Mr. Inch, to approve Resolution #2018-08 updating the Emergency Operations Plan as a municipal participant with the York Area Regional Emergency Management Commission.

Motion carried. Ayes-4 Nays-0.

**RECOGNITION OF PUBLIC PRESENT**

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

**MANAGER'S REPORT –**

- Item #17 - Mr. James reported that he received a complaint with vehicles parking in township parks after park hours. After a lengthy discussion the board requested staff gather additional information from other municipalities for continued review and discussion.
- Item #18 - Solicitor Young reported ongoing discussions amongst Solicitors with impacted municipalities and the County of York regarding the misappropriation of DUI fine monies to municipalities.
- Item #20 – As requested by the board, Mr. James provided additional information for board consideration with newsletter and social media activities with the township. By consensus, the board directed the staff to develop a Facebook account for township information and survey the residents on the concept of reducing the mailing of the newsletter.
- Item #22 – Mr. James reported on a request by the Manchester Township Municipal Authority for the board to consider financing the York City Interceptor project as any financing would have to be approved by the board as the taxing authority. The board discussed the funding options and potential strategy with financing the project. The board requested additional time to consider options.
- Item #24 – Ms. Brennan made a motion, seconded by Mr. Inch, to appoint Virginia Hobbs, 200 Mt. View Drive, to serve the Recreation Commission vacancy for the term expiring January 2020.

Motion carried. Ayes-4 Nays-0.

Item #26 - Mr. James reminded the board that Statement of Financial Interest forms must be completed by May 1, 2018.

**EXECUTIVE SESSION – County of York Clerk of Courts – Fine Disbursement Negotiations**

Solicitor Young stated there was not a need to call for an executive session at this time relative to the County of York Clerk of Courts fine disbursement negotiations.

**OTHER BUSINESS/REPORTS**

There was no other business or reports discussed.

**APPROVAL OF VOUCHERS**

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: January 3-9; January 10-23; January 24-February 13, 2018.

Motion carried. Ayes-4 Nays-0.

**ADJOURNMENT**

Being no further business, Ms. Brennan made a motion to adjourn the meeting at 9:33 p.m.

Respectfully submitted,



Timothy R. James, Secretary

TRJ/jas