

MANCHESTER TOWNSHIP BOARD OF SUPERVISORS

October 8, 2019

LERTA PUBLIC HEARING

The Manchester Township Board of Supervisors held a specially 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, October 8, 2019, which was called to order at 6:45 p.m. by Chairperson Wingert, to consider Local Economic Revitalization Tax Assistance designation from Core 5 Industrial Partners – Laughman Farm, 3545 Board Road.

PARTIES PRESENT

Lisa D. Wingert, Chairperson
Rodney Brandstedter, Vice-Chair
David Brosend, Supervisor
Beth Brennan, Supervisor
John Inch, Jr. Supervisor

Timothy R. James, Manager/Secretary
Lawrence V. Young, Solicitor
Stewart S. Olewiler, III, Zoning/Planning

Timothy Horstmann of McNees Wallace Nurick, LLC, was present to present the request for Local Economic Revitalization Tax Assistance (LERTA) on behalf of his client Core 5 Industrial Partners – Laughman Farm.

With no further comments taken, Ms. Wingert adjourned the special meeting at 6:49 p.m.

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, October 8, 2019, which was called to order at 7:00 p.m. by Chairperson Wingert.

PARTIES PRESENT

Lisa D. Wingert, Chairperson
Rodney Brandstedter, Vice-Chair
David Brosend, Supervisor
Beth Brennan, Supervisor
John Inch, Jr. Supervisor

Timothy R. James, Manager/Secretary
Lawrence V. Young, Solicitor
B.J. Treglia, P.E., C.S. Davidson, Inc.
Daniel Hoff, YAUFR Fire Chief
Stewart S. Olewiler, III, Zoning/Planning

PUBLIC COMMENT

Chairperson Wingert 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. 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

Ms. Brennan made a motion, seconded by Mr. Brandstedter, to approve the meeting minutes of September 10, 2019 as submitted (Wingert and Inch abstained).

Motion carried. Ayes-3 Nays-0.

UNFINISHED BUSINESS**LERTA Designation – CORE 5 Industrial Partners – Laughman Farm**

As summarized in item #3 of the manager's report, Timothy Horstmann, from McNees Wallace & Nurick, LLC, was present to follow-up from a February 12, 2019 Board of Supervisors' presentation for CORE 5 Industrial Partners – Laughman Farm, in requesting designation of Local Economic Revitalization Tax Assistance (LERTA) for CORE 5 Industrial Partners – Laughman Farm, 3545 Board Road. Solicitor Young reported the required public hearing was advertised and held on October 8, 2019 prior to the regularly scheduled board meeting. Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve LERTA designation for CORE 5 Industrial Partners – Laughman Farm, 3545 Board Road, for a term not to exceed ten (10) years with specific terms to be a decision of each taxing authority.

Ayes-4 Nays-1 (Wingert opposed). Motion carried.

DEP Consent Order and Agreement/Interceptor Project

As summarized in item #3 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 (DEP) on January 22, 2018. Engineer Treglia reported that the municipal authority has authorized the project to be advertised for bid on March 10, 2018, with bid opening occurring on April 6, 2018. Mr. Treglia reported that an update to the Corrective Action Plan to include the contract schedule has been completed and approved by the board in March 2018. The board provided guidance to the staff to continue to utilize existing sewer funds to pay the interceptor costs and provide financial updates to the board as the project continues. Mr. Treglia updated the board on the interceptor project and reported that the project is substantially complete.

York City Sewer – Intermunicipal Agreement

As summarized in item #4 of the manager's report, Solicitor Young and Mr. James reported that there has been no further action regarding the York City Sewer – Intermunicipal Agreement since the last Board of Supervisors meeting.

Potbellied Pigs

As summarized in item #5 of the manager's report, as a follow-up to the August 13, 2019 board meeting relative to concerns brought forth by Jessica Maul, 586 Norman Road, regarding the existing zoning ordinances (27-105; 27-1117.3; 27-1118.4) that prohibit the keeping of potbellied pigs in Residential Medium (RM) Density zones in Manchester Township. Ms. Maul had requested the supervisors consider an update to the current zoning ordinance to consider allowing potbellied pigs in residential areas. After discussions the board by consensus, requested the Solicitor develop draft ordinance options for emotional support animal guidelines.

2020 Budget

As reported in item #6 of the manager's report, Mr. James reported that he had begun work on the 2020 budgets. Mr. James advised that he expected to have a draft budget prepared for discussion at the October 8, 2019 meeting; a proposed budget to be introduced at the November 12, 2019 meeting; and, final adoption being scheduled for the December 10, 2019 meeting. He requested that the board members provide any 2020 budget parameters (e.g., levels of service; specific projects, etc.) that they may wish as soon as possible, as the date for the submission of departmental and affiliated agencies budget requests was September 13, 2019.

Mr. James advised that the 2020 draft budget shows a total budget of \$15,752,230 or an increase of \$521,400 from 2019. Mr. James reported that general fund budget total is \$12,197,340 or 3.63% increase from 2019. Mr. James also reported among the items that would have an impact on the 2020 General Fund budget are: a) increase in fire budget due to lack of revenues versus 2019; b) capital expenditures for municipal complex safety and flooring upgrades; and c) increase sewer costs. Mr. James reported that the draft budget shows revenue increases in mercantile tax fees. Mr. James reported the draft budget maintains 2019 tax levels.

NEW BUSINESS**RAK Church Road, LLC – Preliminary Subdivision Plan (Review #2019-10)**

Scott DeBell of Site Design Concepts, and Michael Jeffers with RAK Church Road, LLC, were present to present the preliminary joindure/subdivision of eleven (11) existing lots on 45.84 acres located at 405 Church Road in an Industrial (I) zone. Mr. DeBell explained that the location of the proposed subdivision plan will have only emergency access (gated) to Church Road and will utilize Susquehanna Trail as the main access point. Mr. DeBell discussed the potential abandonment of the current West Crone Road and subsequent relocation of West Crone Road which would provide improved turning radii. Solicitor Young stated a family conflict in providing legal guidance with this plan.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the following waiver:

W1) From Section 28-131K to permit stormwater management facilities to be located within the building setback lines of a property.

Motion carried. Ayes-5 Nays-0.

Mr. Brandstedter made a motion, seconded by Ms. Brennan, to approve the proposed preliminary subdivision plan, Review #2019-10, subject to completion of open items.

Motion carried. Ayes-5 Nays-0.

Core 5 Industrial Partners, LLC at Laughman Farm – Final Land Development Plan (Review #2019-11)

Chris Dellinger of Hubert, Rowland and Gubric, and Paul Pontius of Core 5 Industrial Partners, were present to present the final land development plan for property at 3545 Board Road in Industrial (I) zone. Mr. Dellinger reported the proposed plan includes three (3) warehouses, which would access onto Sandhurst Drive and only have

emergency (gated) access onto Board Road. Solicitor Young confirmed the previous board approval of an off-site traffic agreement for improvements at Sandhurst Drive and Church Road.

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

- W1) For the site not meeting volume control requirements, Stormwater Management Ordinance Section 26-133.A.
- W2) For the requirement for detention basin side slopes graded at a maximum of 4 horizontal to 1 vertical, Stormwater Management Ordinance Section 26-138.C.1.c.

Motion carried. Ayes-5 Nays-0.

Ms. Brennan made a motion, seconded by Mr. Inch, to approve the proposed final land development plan, Review #2019-11, subject to completion of open items.

Motion carried. Ayes-5 Nays-0.

Gohn & Stambaugh – Final Land Development Plan (Review #2019-12)

Adam Davis of BL Companies and Ben Stambaugh, of Gohn and Stambaugh, were present to present a final land development plan to construct a 28,000 square foot warehouse on three (3) acres located along the north side of Busser Road in an Industrial (I) zoning district. Mr. Davis reported the owners plan to lease the warehouse space for five (5) years and then use the building to support the business located on an adjacent lot. Ms. Brennan expressed concern with traffic at the intersection of Busser and Emig Roads. Tom Baughman, New Concepts, provided input of minimal trip impact with proposed plan.

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

- W1) SALDO Section 22-103 – Preliminary Plan Submission. The applicant is requesting a waiver of the requirement to submit a preliminary plan.
- W2) Stormwater Management Ordinance Section 26-131.K – Stormwater Management Facilities Location. The applicant is requesting a waiver for stormwater management basin located within the building setbacks lines.
- W3) Stormwater Management Ordinance Section 26-139.A.1.a – Stormwater Management Facilities Location. The applicant is requesting a waiver for the stormwater management basin within 100' of a known sinkhole.

Motion carried. Ayes-4 Nays-0 (Brennan abstained).

Mr. Brandstedter made a motion, seconded by Mr. Inch, to approve the proposed final land development plan, Review #2019-12, subject to completion of open items.

Motion carried. Ayes-4 Nays-0 (Brennan abstained).

Resolution #2019-17 – Distribution of 2019 State Municipal Pension Aid

As summarized in item #8 of the manager's report, Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt Resolution #2019-17 to authorize the distribution of \$276,506.95 in 2019 state pension aid that was direct deposited on September 18, 2019 to the respective employee pension plans.

Motion carried. Ayes-5 Nays-0.

CPA Appointment Notice Authorization

As summarized in item #9 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Brandstedter, to authorize the advertisement with the thirty (30) day public notice of the board's intent to appoint Kochenour, Earnest, Smyser & Burg, CPA to complete the 2019 township financial statements at a fee of \$14,450.

Motion carried. Ayes-5 Nays-0

2020 SPCA Animal Care and Housing Agreement

As summarized in item #10 of the manager's report, Ms. Brennan made a motion, seconded by Mr. Inch, to authorize the Chairperson or Vice-Chairperson to execute the 2020 SPCA Animal Care and Housing Agreement with the York County SPCA for 2020 for the annual fee of \$9,353.43.

Motion carried. Ayes-5 Nays-0.

Fire Hydrant Request – Emig Road, LLC

Mr. Brosend made a motion, seconded by Mr. Inch, to authorize the approval of the installation of a new public fire hydrant on the west side of Emig Road, relative to the development of Emig Road, LLC job site.

Motion carried. Ayes-5 Nays-0.

Sewer Transfer

Ms. Brennan made a motion, seconded by Mr. Inch, to approve sanitary sewer capacity transfer of two (2) EDU (350 GPD) of Springettsbury Township Sewer Treatment Plant capacity from Glenn Rexroth to Gohn and Stambaugh, 300 block of Busser Road.

Motion carried. Ayes-5 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.

Clyde Snyder, 602 Leaf Street, and Rebecca Everard, 605 Harvest Drive, were in attendance to express concerns with speeding in the Brandywine Crossings Development. After a lengthy discussion, the board directed staff to reach out to the township traffic engineer for guidance.

MANAGER'S REPORT

Item #14 – Mr. James reviewed for board guidance, expiring 2019 terms for township boards and commissions.

Item #18 - Engineer Treglia and Mr. James reported on a request from Conewago Township to be a partner in the submission of a PennDOT Multi-modal grant for the upgrade to truck standards for the township section of Susquehanna Trail. After a lengthy discussion, Mr. Brandstedter made a motion, seconded by Ms. Brennan, that out of concern with additional truck traffic on Susquehanna Trail from township line to Church Road, decline partnering with Conewago Township for a Multi-modal grant submission at this time.

Motion carried. Ayes-5 Nays-0.

Item #31 - The board by consensus, agreed to schedule both the 2020 organizational meeting and regular board meeting for January 6, 2020.

Item #32 - Mr. James reported October 4, 2019 notification of an award of \$152,424 in Green Light Go grant funding through PennDOT for upgrading vehicle detection, traffic controller replacements and signal head upgrades for the intersection of Susquehanna Trail at Stillmeadow Lane; Susquehanna Trail and Lightner Road/Gwen Drive; and Susquehanna Trail at Heidelberg Avenue.

Item #33 - Mr. Brandstedter made a motion, seconded by Ms. Brennan, to adopt resolution to execute deed of dedication with Emig Road, LLC, for right-of-way at the intersection of Emig Road and Woodland View Drive.

Motion carried. Ayes-5 Nays-0.

EXECUTIVE SESSION – Manchester Township Firefighters Collective Bargaining Negotiations (9:05 p.m. – 9:48 p.m.)

Ms. Wingert called an executive session to discuss the Manchester Township Fire Fighters collective bargaining negotiations.

OTHER BUSINESS/REPORTS

Mr. James reported the receipt and distribution of fire, police and engineer's monthly reports.

Mr. James distributed recent speed study reports for Leaf Street and Harvest Drive, along with other related traffic calming information.

Mr. James distributed a draft of the municipal organizational chart for board reaction and guidance.

The board directed Engineer Treglia to include the drainage area of the 1300 block of Garrison when completed the DEP permitting for the Outdoor Country Club / Brittany stormwater project.

APPROVAL OF VOUCHERS

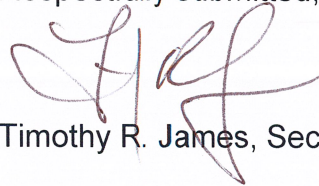
Ms. Brennan made a motion, seconded by Mr. Brosend, to approve the payments of the vouchers as listed on the Treasurer's Checks Vouchers Lists: September 11 – 24; and September 25 – October 8, 2019.

Motion carried. Ayes-5 Nays-0.

ADJOURNMENT

Being no further business, Ms. Brennan made a motion to adjourn the meeting at 9:49 p.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'T. James', is written over a light blue horizontal line.

Timothy R. James, Secretary

TRJ/jas

