

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, June 5, 2008
6:00 p.m.

The Regular Meeting of the West Manheim Township Board of Supervisors was held on the above date and time at the new Municipal Building at 2412 Baltimore Pike.

The Meeting was called to Order by Chairman Barnhart, followed by the Pledge to the Flag and Invocation.

ROLL CALL: Present were Supervisors Barnhart, Raubenstine, Williams and Parr. Supervisor Gobrecht was absent. Also present were Manager Richardson, Terry Myers and Mike Knouse from C. S. Davidson and Solicitor Linus Fenicle.

RECOGNITION OF VISITORS: Visitor's Register Attached.

PUBLIC COMMENT - ITEMS NOT LISTED ON AGENDA - There were no comments at this time.

APPROVAL OF AGENDA: The Agenda was approved in a motion by Supervisor Williams, seconded by Supervisor Parr and carried with the following additions: (12E - York County Board of Commissioners, Gypsy Moth Program, 12F - York County Planning Commission, Nominations for Region 5 Transportation Planning and Project Programming, 12G - York County Planning Commission, Comments on LSS Plan and 12H - York County Community Foundation 2007 Annual Report).

At this time, Supervisor Williams asked for a motion to temporarily adjourn the business meeting to conduct a brief executive session to discuss a personnel matter. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board recessed to Executive Session at 6:02 p.m.

The regular Business Meeting was then brought back to order at 6:05 p.m.

APPROVAL OF DISBURSEMENTS: The Disbursements for the Months of May and June, 2008, from all Funds, were approved as listed in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of May 20, 2008 were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

SOLICITOR REPORT: Linus reported that he received a letter from the attorney for the Northfields Subdivision Plan. Mr. Courtney would like to schedule a meeting with the Board, the Engineers, the Manager and Linus to discuss the issues he has raised at a previous meeting and by written letter regarding the special exception that was granted

West Manheim Township Board of Supervisors Meeting
June 5, 2008 (Cont'd)

to the developer in 2005. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board authorized Linus to schedule a meeting with the representatives of Northfields prior to the next meeting of the Board on June 17, 2008.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated June 5, 2008. Written copies were distributed to Supervisors and Staff (copy in Township files). Public Improvement Construction - Jeffrey Wilson has submitted a request for release of the public improvement security that was posted for his subdivision plan. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the release of the remaining security amount of \$6,105.00. Street Maintenance Program - Contracts have been awarded to Kinsley Construction. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized Chairman Barnhart to sign the contracts. The Board previously approved the oil and chip projects for Hillcrest Drive and Skylite Drive. Mike provided three alternatives for this repair. In a motion by Supervisor Williams and seconded by Supervisor Raubenstine, the Board decided to include this repair under the 2008 Street Improvement Contract with Kinsley and get quotes for the double seal coat. There will be no sewer lines run in this area for a couple years and the seal coat will protect the road from damage. The motion was carried with Supervisor Parr voting "no". The inspection of the Tracey Road Bridge resulted in its immediate closure. The Board authorized the engineers to complete the required PA DEP permitting to replace this bridge in a motion by Supervisor Williams, seconded by Supervisor Parr and carried. This construction will be deferred to the 2009 Budget. Pumping Station Road Relocation - Kinsley Construction has completed the basin construction at the end of Brunswick Drive. Area 2 and 3 Sanitary Sewers - PennDOT has issued a conditions statement for the Highway Occupancy Permit. The signing of this statement will need to be authorized by resolution at the next meeting. Township staff is currently working on preparing documentation for the financing opportunities for the issuance of a general bond. Area 3 Interceptor - A meeting was held with S & A Homes and they have not indicated when they intend to construct the interceptor. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized the engineers to send a letter to them requesting a timeframe for construction and their acknowledgement of the acquisition fees. Heritage Drive Stormwater - The temporary construction easements have been obtained and construction will begin as weather permits. Water Study - A meeting with the York Water Company has been scheduled for June 10 at 7:30 a.m. at the office of C. S. Davidson, Inc. The construction of the new water tank is nearing completion and should be placed into operation shortly. Zoning Ordinance Update - The York County Planning Commission provided a favorable recommendation of the revised text at their meeting on June 3, 2008. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board

West Manheim Township Board of Supervisors
June 5, 2008 (Cont'd)

authorized Linus to advertise for a Public Hearing to be held on August 7, 2008 at 6:00 p.m. Community Development Block Grant Application - In a motion by Supervisor Williams, seconded by Supervisor Parr and a unanimous roll call vote, the Board adopted Resolution #2008-24 for the submission of the 2009 - 2011 CDBG application. This will include repairs to curbs and sidewalks in Pleasant Hill and updates to the Township's 537 Plan. Quillen Wells - In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized Linus to send follow-up letters to the property owners that have not responded. Supervisor Barnhart asked that he be stern and straight forward. This wells need to be abandoned as soon as possible.

MANAGER'S REPORT - (A) Andy reported that we now have temporary occupancy for the building. The scheduled moving date is June 30. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board approved Change Order #5 for Eshenaur Fuels, Inc., and Change Orders #30 & #31 for McCoy Brothers. Motion carried. The Board approved the following certificates for payment from the contractors at the new municipal building in motions by Supervisor Williams, seconded by Supervisor Raubenstine and carried:

- (1) Eshenaur's Fuels, Inc. - Appl. #9 (\$23,829.84)
- (2) McCoy Brothers, Inc. - Appl #9 (\$40,833.00)
- (3) BFPE - Appl. #2 (\$5,787.45)
- (4) BFPE - Appl. #3 (8,592.02)

(B) The members of the Board have received the original Township Ordinance from 1992 regulating outdoors fires. Supervisor Williams distributed copies of the Open Burning Model Ordinance from DEP. The members of the Board will review these two ordinances to see what changes they would like to see incorporated into a new ordinance for the Township. This item will be placed on the Work Session agenda.

(C) The report was received from the Traffic Engineer of the York County Planning Commission concerning the "No-Parking" restriction on the Baltimore Pike. At the request of Supervisor Raubenstine, this will be discussed at the Work Session in order to have input from Supervisor Gobrecht who is absent tonight. (D) The traffic study for the speed limit on Fuhrman Mill Rd. had been re-submitted to York County Planning. Their recommendation is for the speed limit to be reduced to 30 mph beginning at Black Rock Rd and terminating at Frogtown Rd. This will be discussed further at the next meeting. An Ordinance will be needed if changes are made. (E) Manager Richardson and Solicitor Fenicle will continue to work on the Comcast Franchise Extension.

CORRESPONDENCE: (A) In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board gave approval for a Wine-Tasting Festival to be held on Sept 27th and 28th at the Pleasant Hill Fire Company. This is a joint fund raising event between the Fire Company and The WMT Lions Club. (B) An

West Manheim Township Board of Supervisors
June 5, 2008 (Cont'd)

invitation to the 2008 Annual Meeting of the Adams Electric Cooperative, Inc. to be held on June 21, 2008. (C) In a motion by Supervisor Williams and seconded by Supervisor Parr, the Board approved the request by Jefferson Borough for Fire Police Assistance at their annual carnival. Motion carried. (D) Letter received from Fire Chief Ted Clouser regarding the proposed hydrant locations along the water supply line coming into the Township from Adams County. His recommendation would be to add three hydrants and relocate one of the proposed hydrants. The Board decided to discuss the Fire Chief's recommendation at the meeting with The York Water Company. (E) Letter received from the York County Board of Commissioners concerning the Gypsy Moth Cost Share Program. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the payment of \$281.00 as the Township's fair share. (F) Letter from York County Planning Commission requesting nominations to the York Area Metropolitan Planning Organization. (G) Comments received from York County Planning Commission regarding the Lutheran Social Services' newly submitted Subdivision Plan. (H) 2007 Annual Report from the York County Community Foundation.

NEW BUSINESS: (A) Carl and Brenda Grubb of Impounding Dam Rd. addressed the Board with the concerns they have about target shooting with high-power rifles that is occurring in the area around their property. The police department is currently investigating a complaint from the Grubbs and they have spoken to the individual involved in the target shooting. The Township would need to adopt an ordinance to forbid target shooting in the Township. The Solicitor will review sample ordinances and discuss this further at the next meeting of the Board. Supervisor Raubenstine asked if maybe the ordinance could incorporate something concerning excessive noise. (B) In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board approved the tax exonerations for 2008 that were submitted by the tax collector. (C) The condition statement for the permit application to proceed with new Sewer Project was discussed under the engineer's report.

SUBDIVISION PLANS:

(A) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Williams and seconded by Supervisor Raubenstine: Highpointe at Rojen Farms, Phase IIA, 34-lot Final; Fox Run Village, 25-lot Final; Steeple Chase, 12-lot Final; Community Banks, Land Development Plan, 1-lot; Karl & Blanche Moore, 3-lot Final; Homestead Acres, J. A. Myers, 134-lot Preliminary and Northfields, Phase II, 52-lot Preliminary. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

West Manheim Township Board of Supervisors
June 5, 2008 (Cont'd)

(B) In a motion by Supervisor Williams and seconded by Supervisor Raubenstine, the Board then tabled all the following plans: Joshua Hill Farm, 124 - lot Preliminary; Warner Farm, 15 - lot Preliminary; Orchard Estates - Gobrecht - 58-lot Preliminary; Dwight & Pamela Myers, 3 - lot Final; Preserve at Codorus Creek IV, 79 - lot Preliminary; Wyndsong Pointe, Phase II, 15 - lot Final; Eugene Beatty, 2-lot Final; Fuhrman Mill Heights, 1-lot, 34 units - Final Plan; Highpointe at Rojen Farms, Phase IIA, 34-lot Final; Fox Run Village, 25-lot Final; Steeple Chase, 12-lot Final; Community Banks, Land Development Plan, 1-lot; Karl & Blanche Moore, 3-lot Final; Homestead Acres, J. A. Myers, 134-lot Preliminary, Northfields, Phase II, 52-lot Preliminary; Benrus Stambaugh et al, Land Development Plan, James Horak & Donald Yorlets, 6-lot Preliminary; Bowman Property, 3 Add-on Lots, Glenn and Jennifer Auchey, 2-lot Final and Chester & Margie Utz, 4-lot Final Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS:

William Rebert, 201 Kennedy Drive, asked the Board members to consider his request to have his land rezoned from Farming to Residential. His request has been duly noted and will first go to the Township Planning Commission for their consideration. Mr. Rebert has said he would be willing to accept the pump station and the sewer line on his property. Supervisor Raubenstine told the Board members that the Planning Commission will be looking further into some rezoning along the Baltimore Pike.

Stanley Wysocki, 34 Smeach Drive, made a request to get copies of several financial statements of Township officials. He will formally make his request using a record request form and the Solicitor will advise if these are public record.

Matthew Gelazela, 2512 Baltimore Pike, expressed his displeasure with the new water tank being installed at the new municipal building by the York Water Company. He asked if any consideration was given to placing the tank in this rural area. The Board explained that this is to benefit the residents in that area by increasing water pressure and also for the sprinkler system at the new building.

Duane Diehl requested a copy of the contract that was signed when the Township Manager was hired. He will need to formally request this item and the Solicitor will decide if it is available for public review.

Supervisor Parr asked to have a report available by the second meeting in July that shows the income and expenses compared to the 2008 Budget. This will help them prepare for the 2009 Budget.

Page - 6 -

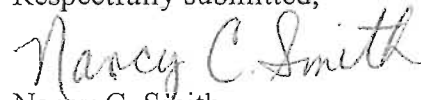
West Manheim Township Board of Supervisors
June 5, 2008 (Cont'd)

Supervisor Raubenstine informed the Board that Shrewsbury is adopting a Sewage Sludge Ordinance. He suggested that the West Manheim Township Ordinance for sewage sludge be copied and reviewed by the Board members before the next meeting.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, June 17, 2008 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting - Thursday, July 3, 2008 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 7:41 p.m. in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

Respectfully submitted,



Nancy C. Smith
Secretary