

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, August 7, 2008

6:00 p.m.

Prior to the start of the Regular Meeting of the Board of Supervisors, a Public Hearing was held to accept public comment and discussion on an Ordinance to amend the Township Zoning Ordinance. Solicitor Fenicle explained the purpose of the Public Hearing and Michael Knouse, of C.S. Davidson, Inc., explained the proposed amendments to the designated Articles of the Ordinance. Solicitor Fenicle then asked for public comment on the issues contained in the amendments. There was no public comment. The Public Hearing was adjourned at 6:15 p.m. and the Board of Supervisors will consider the adoption of the Ordinance during their regularly scheduled meeting.

The Regular Meeting of the West Manheim Township Board of Supervisors was held on the above date immediately following the Public Hearing at the 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, 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: (11G – Liquid Fuels Tax, 11H – Act 72 (Deposit Security), 12B – Letter from Mr. Richard Garver, and 13G – Zoning Ordinance – Frank Williams.

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month July and August, 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 July 15, 2008 were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

SOLICITOR REPORT: Linus explained that the Board could, at this time, adopt the Ordinance to amend the Zoning Ordinance that was discussed at the Public Hearing. In a motion by Supervisor Parr, seconded by Supervisor Williams and a unanimous roll

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call vote of members present, the Board adopted Ordinance #02-2008 (Amendments to the Zoning Ordinance). Linus has drafted an amendment to the Well Ordinance and it has been reviewed by the Engineer. Linus will advertise for the adoption of this Ordinance for the first Board meeting in September. An updated traffic study has been received from York County Planning regarding restrictions for parking on the Baltimore Pike. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized Linus to draft an ordinance for "no parking, stopping or standing". This ordinance will be adopted at the September Board Meeting.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated August 7, 2008. Written copies were distributed to Supervisors and Staff (copy in Township files). Plan Review Status – Mike advised the Board that Dwight and Pamela Myers resubmitted their plan on August 5, 2008. Public Improvement Construction – In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the security release for Jeff and Kathy Rice in the amount of \$7,665.15. Street Maintenance Program – An agreement has been drafted for the improvements along Fairview Drive. The quote is currently being reviewed and the agreement has been approved for signature in a motion by Supervisor Williams and seconded by Supervisor Parr. Motion carried. Kinsley has completed the paving for the 2008 street improvements and is beginning the lawn restoration and shoulder stabilization. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved Application for Payment #1 from Kinsley in the amount of \$100,424.88. Baltimore Pike Curb and Sidewalk – Gregory Contractors, Inc. has begun work on this project. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board approved Application for Payment #1 and Requisition #2 in the amount of \$26,857.40. Area 2 and 3 Sanitary Sewers – Sanitary Sewer Easements are still being acquired. The information has been forwarded to the appraiser for the properties that were authorized for appraisals at the last meeting. The engineers are continuing to work with RBC Capital Markets to evaluate the financing opportunities for this project. The analysis has been completed based on the current sewer rate and the existing tapping fee. Area 3 Interceptor – This item is listed as a separate Agenda item. Heritage Drive Stormwater – Township forces have performed temporary measures to minimize this drainage problem. The engineers have requested quotes from three contractors to do the grading. Community Park – The pavilion has been ordered and is to be delivered to the site in the beginning of September. Water Study – The York Water Company will continue to hold progress meetings with the Township. The York Water Company does not foresee an overflow event at the water tank due to safety measures but they are currently discussing this issue with the engineers. York Water Company is considering using the existing tank site for water

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distribution purposes. Sewage Planning Module -- In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board authorized C. S. Davidson to complete an update on the Act 537 Plan. This will enable the Township to supply updated figures to Penn Township as they are upgrading their wastewater treatment plant. Zoning Ordinance Update -- The engineers will begin work on the second part of the update including map changes, general wording and standards for uses. 2009-2011 Community Development Block Grant Program -- Mike reported that the Baltimore Pike Curb and Sidewalk -- Phase 2 project has been included under the 2011 Funding. Linus will provide an update on the Quillen wells at the next meeting.

MANAGER'S REPORT - (A) A meeting has been scheduled for August 19, 2008 at 2:00 p.m. for the Township representatives and the prime contractors to review a list of outstanding punch list items. The Board approved Application for Payment #6 (\$15,079.86) from Davidson H & C, Inc. in a motion by Supervisor Parr, seconded by Supervisor Williams and carried. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board approved the payment of Invoice #6842 in the amount of \$18,298.41 for Merlin Communications. Andy explained that we will only pay half at this time because of several outstanding telephone issues. When these issues are corrected, the remainder will be paid. Andy presented two proposals for extra phone lines at the new building. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved Proposal #2 in the amount of \$882.28 from Merlin Communications. (B) Supervisor Barnhart suggested that the Township look into providing something free of charge for the community at the new community center of the Township building. He would like to create some activities for the youth to enjoy maybe every other week. He has spoken to several other groups to see if they would be interested in helping with these activities, i.e. Scouts, church groups, etc. He will have more to report on this matter at the next meeting. (C) Andy introduced Ed Allison as a candidate for the part-time janitor position. Ed is a resident of the Township and Captain of the Pleasant Hill Fire Company Fire Police. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the employment of Ed Allison. (D) In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized the destruction of obsolete public records. (E) Andy reported that he has ordered signs to be posted concerning animal defecation on public property. These will be posted in the areas where the problems have been indicated. (F) Andy has spoken to Diana Whitten of the West Nile Virus Program and explained that the Township will work with her to identify certain areas of concern. He is waiting to hear back from her. (G) Andy has met with representatives of the Township's two principal banks to discuss and determine the security of the Township funds. The Township funds are well protected. (H) Andy reported that the

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Township Liquid Fuels Fund has been audited for 2005 and 2006 and everything is in compliance.

CORRESPONDENCE: (A) The Board received a copy of the 2007-2008 D.A.R.E. Report from the Penn Township Board of Commissioners. West Manheim's fair share payment of the unfounded balance is \$987.30. Chief Hippensteel questioned the payment and will review the report. This item will be placed on the Work Session Agenda after Chief has reviewed it. (B) Letter received from Richard Garver of 113 Zachary Drive concerning the continual increase in the water and sewer pricing in the Township.

OTHER BUSINESS: (A) Steve Bisbee, representing S & A Homes, introduced himself to the Board and provided an update on the construction of the Area 3 Interceptor. He will provide the funds for the four easements that have been acquired for this project. He is waiting on a permit from DEP and has completed the bid process but no award has been given. The intent of S & A Homes is to begin the project in October or November and complete it by January or February of next year. Mr. Bisbee will continue to provide updates on this project. (B) In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board approved the hiring of an officer to replace Officer Cuffley who has resigned from his position. Motion carried. (C) The Ordinance to restrict parking along the Baltimore Pike was discussed during the Solicitor's Report. (D) The Board then discussed the traffic study that was completed by the York County Planning Traffic Engineer in which the recommendation was made to lower the speed limit on Fuhrman Mill Rd from Frogtown Rd. to Black Rock Rd. Diana Orndorff spoke to the Board asking them to decrease this speed limit. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the decrease in the speed limit from 40 mph to 30 mph as per the recommendation. Linus was asked to draft an ordinance. (E) Tim Pfaff presented a memo explaining the purpose of a deduct meter. He reported that this deduct meter would be a benefit to the residents who use a large amount of water outside that does not get dumped into the public sewer system. This meter would measure the amount of water used and this amount would be deducted from their sewer bill. The Board, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried, authorized the Solicitor to prepare an ordinance for the use of deduct meters. (F) Supervisor Williams had asked to see the report on the removal of asbestos from the new Township building. Andy explained that we are within the federal guidelines for asbestos removal. It was decided to have Supervisor Williams review the report and discuss this matter again at the Work Session meeting in September. (G) Supervisor Williams asked why the section of the Zoning Ordinance dealing with junk cars sitting with no

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inspections and no license plates is not being enforced. Harold has sent a letter out but has not had a response. He will check into this again and report back to the Board.

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 Parr: Orchard Estates - Gobrecht - 58-lot Preliminary; Dwight & Pamela Myers, 3 - lot Final; Wyndsong Pointe, Phase II, 15 - lot Final; Eugene Beatty, 2-lot Final; Fuhrman Mill Heights, 1-lot, 34 units - Final Plan; Bowman Property, 3 Add-on Lots, Glenn and Jennifer Auchey, 2-lot Final and Chester and Margie Utz, 4-lot Final. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

(B) In a motion by Supervisor Williams and seconded by Supervisor Parr, the Board then tabled all the following plans: Joshua Hill Farm, 124 - lot Preliminary; Warner Farm, 15 - lot Preliminary; Preserve at Codorus Creek IV, 79 - lot Preliminary; Orchard Estates - Gobrecht - 58-lot Preliminary; Dwight & Pamela Myers, 3 - lot Final; 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; Chester & Margie Utz, 4-lot Final and Lutheran Social Services, Phase 2 – New Apartment Building. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Supervisor Parr attended the Intergovernmental Insurance Cooperative Meeting. He expressed his belief that this cooperative is working well for the Township. He will be attending a Work Safety Class on August 20, 2008 at 8:00 at the Penn Township Public Works Building. He will be speaking about safety issues at the next meeting of the Board. Supervisor Williams discussed the Township Burn Ban Ordinance. He reported that this ordinance is unenforceable and would like to develop a new ordinance. The Burn Ban Ordinance had been scheduled to be discussed at the Work Session Meeting on August 19th. Supervisor Williams asked if the Board could add a sentence to the Agenda that would state that the Board of Supervisors reserves the right to limit the time of discussion during the Public Comment portion of the meeting. Scott Barnhart asked Frank to contact Littlestown Borough concerning this issue and report back to the Board. Supervisor Raubenstine asked for an update on the issue of weeds on some

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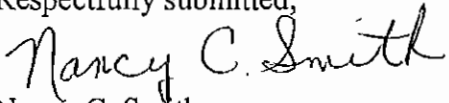
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properties in the Township. Harold has sent out letters to have the property owners comply with the ordinance and he will check on this issue again. Owen Walsh asked if the microphones were working. Supervisor Barnhart explained that new microphones are on order and they will be on all the time and will work better. Mr. Walsh asked about the zones for heating and cooling of the new building. Andy explained that we only need to heat or cool the areas in use. Tim Pfaff asked the Board members to consider monthly sewer billing instead of quarterly. He believes this would benefit residents that are dealing with high consumer prices. Mike Hampton reported that the NIMS 100 and 200 courses will be offered at the fire company again this year if anyone would like to attend.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, August 19, 2008 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting - Thursday, September 4, 2008 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 8:00 p.m. in a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried.

Respectfully submitted,


Nancy C. Smith
Secretary