

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, September 4, 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 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, Parr and Gobrecht. 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.

The Board of Supervisors recessed the meeting at 6:05 p.m. to go to executive session to discuss a personnel issue. The Regular Meeting resumed at 6:15 p.m.

APPROVAL OF AGENDA: The Agenda was approved in a motion by Supervisor Williams, seconded by Supervisor Parr and carried with the following additions: (11E – New Police Vehicle, 11F – Hazard Mitigation Resolution, 12B – York County Solid Waste and Refuse Authority, 12C – Harvey Salt Company, 12D – Calvary Assembly of God and 13G – Edward Hetrick).

APPROVAL OF DISBURSEMENTS: The Disbursements for the Months August and September, 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 August 19, 2008 were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

SOLICITOR REPORT: Linus introduced Bob Moore of Mette, Evans & Woodside (Bond Counsel) and Mike Lillys of RBC Capital Markets (Investment Banker) to discuss the financing for the Area 2 & 3 Sewer Projects with the issuance of General Obligation Bonds. Mr. Lillys explained that the sale of the Bonds went out to the market yesterday and the sale was concluded by about 2:00 p.m. yesterday. They worked closely with Bruce Stair of Wachovia Securities to sell the bonds. The Township's credit rating as determined by Standard and Poor's was an A+. The rating was an increase from a BBB+ for the Bond issuance in 2004.

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6:45 P.M. – Supervisor Raubenstine excused himself from the meeting.

Mr. Moore explained that this ordinance has been advertised for adoption in the Hanover paper and settlement on the Bond Issuance should be October 9, 2008. Supervisor Gobrecht made a motion to adopt the Ordinance and Supervisor Parr seconded the motion. In a roll call vote, Supervisors Parr, Barnhart and Gobrecht voted for the adoption of this Ordinance (#03-2008). Supervisor Raubenstine was absent and Supervisor Williams voted “no”. Mr. Williams indicated he would like to read over the Ordinance and speak to Bruce Stair of Wachovia Securities concerning the sale of the Bonds. Linus will have a written report to distribute at the Work Session Meeting concerning the Quillen Wells and any legal action that the Township may want to pursue against the remaining property owners who have not complied.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated September 4, 2008. Written copies were distributed to Supervisors and Staff (copy in Township files). Public Improvement Construction – Lutheran Social Services – the Contractor has continued work on Sunset Drive and will then move to Fairview Drive. The Contractor for the Northfields Development is currently doing paving and installing curbs. A punch list of outstanding items was issued on Tuesday. Street Maintenance Program – The agreement between the Township and Lutheran Social Services will be signed and work on Fairview Drive will be completed within 120 days from the date of the agreement. Kinsley has completed the paving included in the 2008 Street Improvements. Areas of topsoil are needed and all areas are to be seeded. Baltimore Pike Curb and Sidewalk – Gregory Contractors, Inc. is proceeding with work on this project. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board approved Application for Payment #2 and Requisition #3 in the amount of \$51,362.89. Area 2 and 3 Sanitary Sewers – Sanitary Sewer Easements are still being acquired. There are nine remaining in Area 2 and seventeen remaining in Area 3 to be acquired. 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. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board authorized H & H General Excavating to complete this work. They submitted the lowest bid in the amount of \$4,250.00. Water Study – The Township Staff is currently reviewing ordinances for deduct meters, mandatory connections and water shutoff. There will be a meeting with the York Water Company tomorrow morning at the Township Office to discuss the restoration of the roads that were impacted by the running of the new water lines. Joshua Hill Farm – A revised agreement for the waste water treatment plant has been submitted for execution. The revisions are the result of comments from PADEP. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board

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approved the signing of the revised agreement. Supervisor Barnhart abstained from this vote.

MANAGER'S REPORT - (A) A meeting was held on 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 #10 (\$7,767.00) from McCoy Brothers, Inc. in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board denied Change Order #33 for McCoy Brothers, Inc. in the amount of \$1,360.00. Andy believes that the Township forces will be able to do this work. Merlin Communications has added three more phone lines. This will make five lines on the admin side of the building and three lines for the police department. The relocatables are in the process of being painted and dressed up a little to get them ready to be rented out to community organizations. (B) Andy had nothing further to add on the cable franchise extension agreement. (C) Several members of the South Western football team were present to ask permission to hold bonfires at the site of the municipal office. The bonfire that was held on August 28th had been approved by the Board. Andrew Sells asked permission to hold bonfires on the Thursday evenings before scheduled home games. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the following dates: September 12 and 19 and October 3 and 17, 2008. The fire department will also be on hand in case of an emergency. (D) In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board approved the 2009 MMO's for the Non-Uniformed Pension Plan in the amount of \$194,029.00. Motion carried. The Board approved the 2009 MMO's for the Police Pension Plan in the amount of \$73,016.00 in a motion by Supervisor Parr, seconded by Supervisor Williams and carried. These figures will be incorporated into the 2009 Budget. (E) Chief Hippensteel presented a notice to the Board asking for approval to purchase a new police vehicle. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved this purchase. Chief explained that there is \$26,000.00 earmarked in the budget for this purchase. (F) In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and a unanimous roll call vote of members present, the Board adopted Resolution #2008-32. By adopting this resolution, the Board of Supervisors has adopted the York County Hazard Mitigation Plan. This is a required condition for future funding under FEMA pre-and post disaster grant programs.

CORRESPONDENCE: (A) Letter from the Visiting Nurse Association requesting a donation to help support their programs in the Hanover area. (B) Letter from the York County Solid Waste and Refuse Authority introducing David Vollero as the newly appointed Executive Director. (C) Letter from Harvey Salt Company giving notice of

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the increase in the cost of Rock Salt for the winter season. (D) Letter from Calvary Assembly of God Church including a donation of \$500.00 to the proposed Teen Social Hall.

OTHER BUSINESS: (A) In a motion by Supervisor Parr, seconded by Supervisor Williams and a unanimous roll call vote of members present, the Board adopted Ordinance #04-2008 establishing the maximum speed limit on Fuhrman Mill Road from Black Rock Road to Frogtown Road to be 30 mph. (B) In a motion by Supervisor Barnhart, seconded by Supervisor Williams and a roll call vote, the Board adopted Ordinance #05-2008 which will prohibit stopping, standing and parking along the east and west sides of State Route 94 from the intersection of Rt. 94 and Fuhrman Mill Road North to the Penn Township line. Supervisor Gobrecht voted against adopting this ordinance. (C) The Board adopted Ordinance #06-2008 in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and a unanimous roll call vote of members present. This Ordinance amends Ordinance #03-2002 which establishes minimum standards for location, modification, or abandonment of individual water supply wells. Monitoring/test, agricultural and geothermal wells will now require permits and applicants for monitoring/test wells will provide security sufficient to cover proper abandonment of the wells. (D) Supervisor Barnhart indicated that correspondence is being received and contact has been made with several local organizations concerning the Teen Social Hall. He asked everyone to keep in touch and the Board will keep everyone updated. (E) Andy Bealing came before the Board to request a waiver to S. 505e of the Township Subdivision and Land Development Ordinance for the Chester and Margie Utz Final Plan. This section requires the cul-de-sac streets be provided with a paved turnaround. Mr. Bealing is offering to construct the private road, excluding the 6" of 3A modified stone within the proposed cul-de-sac area. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board voted to accept this waiver. Supervisor Barnhart abstained from the vote. (F) Arthur Wildasin requested to be on the Agenda for the September 16, 2008 Meeting of the Board. He had to leave earlier in the meeting. (G) Mr. Hetrick wished to discuss the second easement that is required of him for the construction of the Area 3 Interceptor. No figure has been reviewed by the Board. Mike Knouse suggested that they schedule a meeting to discuss a figure to be brought back to the Board for their approval.

SUBDIVISION PLANS:

(A) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Gobrecht and seconded by Supervisor Williams: 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.

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Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

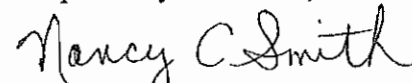
(B) In a motion by Supervisor Williams and seconded by Supervisor Gobrecht, the Board then tabled all the following plans: Joshua Hill Farm, 124 - lot Preliminary; Warner Farm, 15 - lot Preliminary; Preserve at Codorus Creek IV, 79 - lot Preliminary; Orchard Estates - Gobrecht - 58-lot Preliminary; Dwight & 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; 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 asked to be put on the Work Session Agenda for September 16, 2008 to discuss strategic planning. Delores Kraft asked when the Board would be discussing the Township Burn Ordinance. Supervisor Barnhart reported that this item will be discussed at the Work Session Meeting on September 16, 2008. Henry Rebert inquired about the request to have his property rezoned. This will be taken into consideration in the next amendments to the Zoning Ordinance. It will first be discussed with the Township Planning Commission.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, September 16, 2008 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting - Thursday, October 2, 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 Gobrecht and carried.

Respectfully submitted,


Nancy C. Smith
Secretary