

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, July 2, 2009
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 Mike Knouse from C. S. Davidson and Solicitor Linus Fenicle.

RECOGNITION OF VISITORS: Visitor's Register Attached.

PUBLIC COMMENT - ITEMS NOT LISTED ON AGENDA

APPROVAL OF AGENDA: The Agenda was approved in a motion by Supervisor Williams, seconded by Supervisor Gobrecht, and carried with the following additions: (13H – Sewer Request – Dotson, 13I – Charles Bowman, 13J – Trash pick-up, 13K – Letter from Larry Bowman and 14S – Surplus Equipment). Items 13G – E-mail, Interim Manager, 14A – EMT Agreement, WMT/PHVFD, 14G – Police Contract Negotiations, 14P – Voice Mail, Supervisor Barnhart and 14R – Personnel Issues will be discussed during an executive session at the end of the meeting.

J. T. Hand, Chief Operating Officer of The York Water Company, was present to update the Board on the water system. They are replacing meters, installing pressure reducing valves and back flow devices. All residents will have their water pressure bumped up by 14 pounds. This process should be completed within eight weeks. This will allow the Township to acquire full occupancy at the new building which will then allow the new community room to be offered for rent by various organizations that have expressed interest.

APPROVAL OF DISBURSEMENTS: The Disbursements for the Months of May and June, 2009, from all Funds, were approved as listed in a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried.

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of May 20, 2009 were approved, as distributed, in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried.

RECREATION BOARD REPORT: Chistine Gienski reported that there are five miles of trails open at the Park and picnic tables and benches have been installed. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board

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approved the Rec Board's request to continue holding the yard sales at the Township building every Saturday through Labor Day except July 4th. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and a unanimous roll call vote, the Board adopted Ordinance #05-2009, which authorizes the adoption of rules and regulations governing the use of the Park. Rules and regulations will then be adopted by Resolutions.

SOLICITOR REPORT: Linus reported that there will be oral argument in July on the appeal filed by Carl Grubb that is before the York County Court of Appeals. Tim Pfaff had asked Linus to look into the issue of sewage connections on new homes. User charges should start immediately when the property is hooked up. Linus will prepare a regulation concerning this issue and have it available for the next meeting. Linus reported that there are several properties where the water is turned off but there are outstanding sewer bills. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board authorized Linus to put municipal lien claims on these properties.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated June 4, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Plan Review Status – Joshua Hill Farm – In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board authorized the signing of a revised conditions statement for the highway occupancy permit. Supervisor Barnhart abstained from this vote. Public Improvement Construction – Charles & Pamela Bowman – The public improvement security will expire by June 30, 2009. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board authorized the collection of the security by June 28, 2009 if it is not extended. Construction Projects - Street Maintenance Program, 2009 Street Improvements – Pre-construction Meetings have been held and construction should begin in mid June. Pumping Station Road/Baltimore Pike Intersection – The closure of Pumping Station Rd. would require a HOP from PennDOT. The Board would need to authorize the engineers to prepare the application, the associated ordinance, permit and bid specifications. After discussion, Supervisor Raubenstine made a motion to contact PennDOT and have them look at the intersection and prepare a recommendation. This will be discussed at the next meeting. Area 2 and 3 Sanitary Sewers – Easements are still being acquired. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the recommendations of the engineers for some remaining easements. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved Change Order #1 for Doli Construction for an increase of \$3,870.11. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board approved Application for Payment #5 for Doli Construction in the amount of \$154,053.25. In a motion by Supervisor Parr and seconded by Supervisor Williams and carried, the Board approved Requisition #9

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in the amount of \$208,730.35. This requisition includes payment for engineering fees, payment to Doli Construction and several easement payments. The letter of credit has been secured and the permit package has been prepared for re-submission to PennDOT. In a motion by Supervisor Parr and seconded by Supervisor Williams the Board approved Change Order #2 in the amount of \$63,510.35 to complete the portion of sanitary sewer on Fairview Drive from Sunset Drive to Casino Drive. Motion carried.

Sanitary Sewer Manhole Lining – The engineers are proceeding with the preparation of the bid specifications to line several deteriorated manholes. **Sewer – General – Area 1- Outstanding Connections** – There are four property owners that have not connected to the Area 1 Sewer System. Final notices will now be sent via certified mail and if they fail to connect an appropriate recommendation from the engineers will come before the Board. **Community Park – Phase 1** – The grading plan for the alternate phasing has been completed and a revised cost estimate distributed to the Board. **Fuhrman Mill Road/Baltimore Pike Traffic Signal** – A Traffic Impact Study was performed by the developer of Reservoir Heights that indicated traffic could warrant a signal at this intersection. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board authorized that a formal warrant analysis be completed.

Investigations and Reports – **Zoning Ordinance Update** – The York County Planning Commission has reviewed the updates to the Zoning Ordinance at their June 2, 2009 meeting. Based on their recommendations, the Board authorized the engineers to re-submit the updates to the YCPC in a motion by Supervisor Williams, seconded by Supervisor Parr and carried. In a motion by Supervisor Gobrecht, seconded by Supervisor Raubenstine and carried, the Board approved a request from Bob Hemler for a change on the zoning map. The Public Hearing for comments will be re-scheduled for September 3, 2009 at 6:00 p.m. in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried. Miscellaneous – **FEMA** – An updated Floodplain Management Ordinance has been prepared. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the submission of the draft ordinance to the York County Planning Commission. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized Linus to advertise the ordinance for adoption at the August 6, 2009 meeting.

Fuhrman Mill Rd./York Water Company – York Water Company, through Fitz & Smith, Inc., has completed the work on the waterline on Fuhrman Mill Rd. Township Business – **Municipal Building** – In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized Mike to get quotes for the bullet-proof glass in the reception area. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized having a local company fix the door lock at the building entrance. The Board authorized the payment of invoice #00008008 for Davidson H. & C. Co., Inc. in the amount of \$2,967.65 in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried. **Traffic Signal Maintenance** – West Manheim Township is responsible for annual maintenance of the

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traffic signals within the Township. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board approved Swam Electric Co., Inc. to conduct this maintenance. Menlena-Stormwater Management Pond – Maintenance of the stormwater management pond at Menlena has been an on-going problem. One of the adjacent property owners is willing to take responsibility for the pond. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized the Solicitor to prepare an agreement with the property owner and reconfirm with them that this is a non-building lot. Mike discussed a letter that was received from Michelle & Steven Norris concerning some damage to their property during the sewer installation. Mike believes most of the concerns will be taken care of as the restoration work is completed. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board denied their request for compensation for two trees that were in the construction easement.

CORRESPONDENCE: (A) Letter received from Mike Stoner of Lutheran Social Services. Several residents had expressed some concerns with some of the facilities at LSS. Mike Knouse has reviewed those concerns and forwarded his findings to all parties involved. The letter from Mike Stoner reminded the Township that any official communication be directed to him or to Beth McMaster, Executive Director. (B) Letter received from Weaber, Inc., Forest Management Specialists, expressing an interest in some woodland on Wilson Springs Rd. (C) Letter from Penn State Cooperative Extension of York County concerning the West Nile Virus Program. (D) Application for Membership to YCEDC. This item will be reviewed and brought back to the next meeting. The Township has a signed contract for membership and this membership may be an individual membership. (E) Letter received from the Hanover Red Cross asking the Township to consider making an additional financial contribution. This will be discussed at the next meeting. Bev will verify what the Township's yearly contribution is. (F) The Memo from the staff concerning the bullet-proof glass was discussed earlier in the Agenda. (G) E-mail, Interim Manager – To be discussed in executive session. (H) Letter received from Steve Dotson requesting one EDU sewage hook-up for South Hanover Storage at 2150 Baltimore Pike. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized C. S. Davidson to contact him and send him a Reservation Agreement. (I) Letter received from Charles Bowman. He has closed three of the monitoring wells and would like the three remaining wells to be left for future use. Supervisor Gobrecht made a motion to allow Mr. Bowman to keep the other three wells and it was seconded by Supervisor Barnhart. Supervisors Raubenstine, Williams and Parr voted against this motion and it was denied. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board approved allowing Mr. Bowman to keep the remaining three wells but there will be a yearly review of the wells by Township staff. Supervisors Barnhart and Gobrecht voted against this motion. (J) Memo received from Sandy

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Myers, Receptionist, concerning a requested exemption for garbage pick-up. The Board informed Sandy to explain the option of 26 bags/year at a cost of \$91.00 to the customer and that the service is mandatory. (K) Letter from Larry Bowman informing the Board that he would like to start a discussion group or club regarding Civil War History or History in general concerning West Manheim Township.

OTHER BUSINESS: (A) EMT Agreement, (G) Police Contract Negotiations, (P) Voice Mail-Supervisor Barnhart and (R) Personnel Issues – WILL BE DISCUSSED IN EXECUTIVE SESSION. (B) In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved the request from Jefferson Borough for Fire Police Assistance for the Jefferson Carnival. (C) In a motion by Supervisor Williams and seconded by Supervisor Gobrecht, The Board approved the requests for exoneration from per capita taxes that was presented by Ruth Neiderer, Tax Collector. Motion carried. (D) In a motion by Supervisor Raubenstine, seconded by Supervisor Parr and carried, the Board decided to postpone the renewal of membership to PELRAS at this time. (E) In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board approved a 90-day extension (backdated from May 18, 2009) for the Lutheran Social Services Plan. (F) The Rental Agreement for the Community Room has been finalized. Linus will provide a copy to the Secretary. (H) Judy Maust, President of the Board of Governors of the Library, presented a letter from Roberta Greene, Director of the Library, documenting West Manheim Township's Fair Share calculation. They asked that the Township consider increasing the level of support for the public library. Chairman Barnhart assured Mrs. Maust that the Board will consider this request as they work on the budget for 2010. (I) There is a sewer enforcement issue at 42 Lee Ann Court. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board authorized Doug Stambaugh, SEO, to write a complaint and bring it to the Board to try to resolve this issue. (J) The York Water Company was asked this past week to shut off water service to 6 or 7 residences with unpaid sewer bills. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board agreed to allow Miriam to proceed with having water service turned off thirty days after the actual due date. (K) Mike Knouse presented a rough draft of the entrance to the municipal building where the entrance was moved farther north. Supervisor Raubenstine believes a traffic signal should be installed at the current entrance. Mike will send a letter to PennDOT asking them to look at this intersection again and provide their recommendations. (L) Chairman Barnhart reminded the Board members that they will need to appoint someone to the empty seat on the Planning Commission. This item will be discussed at the Work Session Meeting. The Evening Sun Reporter was asked to include this open position in her article for the paper. (M) The Board has discussed the idea of the part-time position of Administrative Assistant in the Police Department to become a full-time position. Chief Hippensteel has revised the job description and has talked to Joanne about the

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position. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board approved this position to be full-time. (N) In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board approved the purchase of four more desktop microphones and a mounted gooseneck mic for a fee of \$1,495.00. Supervisor Parr voted against this motion. (O) The closure of Pumping Station Road was discussed earlier in the Agenda. (Q) Supervisor Parr will discuss purchase orders at the next Work Session Meeting. (S) In a motion by Supervisor Gobrecht, seconded by Supervisor Raubenstine and carried, the Board authorized the advertisement of a 3 point hitch Sweepster Broom for surplus sale.

SUBDIVISION PLANS:

(A) Since there has been no activity on the Karl & Blanche Moore, 3 – lot Final Plan, and no response from the letter they received, Mike recommended that the Board deny this Plan. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board denied this Plan. Supervisor Barnhart abstained from this vote.

(B) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Gobrecht and seconded by Supervisor Parr: Fox Run Village, 25-lot Final; Community Banks, Land Development Plan, 1-lot; 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.

(C) In a motion by Supervisor Raubenstine 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; 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; 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; Glenn and Jennifer Auchey, 2-lot Final, Lutheran Social Services, Phase 2 – New Apartment Building, and Wal Mart Real Estate Business Trust, 2-lot Final. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Holly Zumbrum, a resident of Pumping Station Road, indicated she has no problem with the sight distance at Pumping Station Road when she wants to turn north on Baltimore Pike. She believes the money spent on this project would be better spent somewhere else. Mike Hawkins,

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of Pumping Station Road, agreed with Mrs. Zumbrum that Pumping Station Road should not be closed. He asks if someone could check the timing of the light at Brunswick Drive, especially turning south onto Baltimore Pike. There seems to be a long back up in the morning hours. Chairman Barnhart indicated that this discussion on the closing of Pumping Station Road is purely for safety concerns. Carl Grubb of Impounding Dam Road, wished to discuss the letter he received from the engineers. He is concerned with stormwater management issues on his neighbor's property. The Board assured him that these issues will be resolved. David Barber agreed that public safety should be considered first when the decision is made on the closing of Pumping Station Road. Charles Bowman asked about the required letter of credit that needs to be extended because of a driveway that needs installed. Mr. Bowman will check to see what his options are at this time. This item will be discussed at the next meeting. Holly Zumbrum also asked the Board what action could be taken at the old Feeser Farm before someone gets hurt. It is in bad shape and children play around the area.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, June 16, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting – Thursday, July 2, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board recessed into an executive session at 8:45 p.m.

The Regular Meeting reconvened at 10:20 p.m. No action was taken.

ADJOURNMENT: The Meeting was then adjourned in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Nancy C. Smith
Secretary