

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, July 2, 2009
6:00 p.m.

The Board of Supervisors held a brief executive session before the Meeting to discuss legal and personnel issues.

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 Terry Myers 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 Parr, and carried with the following additions: (12B – Letter from Filius & McLucas, 12C – Letter from Sewage Enforcement Officer and 15C – Amendment to Fee Schedule).

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month of June, 2009, 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 Regular Meeting of June 4, 2009 and the Work Session Meeting of June 16, 2009 were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

RECREATION BOARD REPORT: No one was present to report on the Recreation Board's activities. The Rec Board Report will be tabled until the next meeting on July 21, 2009.

SOLICITOR REPORT: Linus reported that he had nothing to add that was not listed on the Agenda.

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ENGINEER'S REPORT: Terry Myers presented a written Report of C. S. Davidson, Inc. dated July 2, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Public Improvement Construction – In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board authorized the release of the letter of credit that was being held for the Bowman Plan. It has been replaced with a new letter of credit. Construction Projects - Street Maintenance Program, 2009 Street Improvements – In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved the closing of Band Hall Hill Rd. beginning Monday for approximately three days. The area needs to settle after it has been reclaimed. Terry distributed a hand-written work directive change. A proposal was made to change a certain portion of Band Hall Hill Rd. from a double application of seal coat to 3” thick, 19 MM Super Pave. After some discussion, the Board decided to leave it as it is and keep a close eye on this section which may need to be redone at a later date. Area 2 and 3 Sanitary Sewers – The contractor is currently working on the additional portion of sewer on Fairview Drive. They have moved in a second crew. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board approved Application for Payment #6 for Doli Construction in the amount of \$239,844.90. In a motion by Supervisor Parr, seconded by Supervisor Williams, and carried, the Board approved Application for Payment #2 for Electroventions, Inc. in the amount of \$18,063.70. In a motion by Supervisor Parr and seconded by Supervisor Gobrecht and carried, the Board approved Requisition #10 in the amount of \$273,974.70. This requisition includes payment for engineering fees, payment to Doli Construction and payment to Electroventions, Inc. Township Business – Municipal Building – All of the quotes received for the bullet-proof glass for the reception area came in over the \$10,000.00 limit. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board authorized the engineers to publicly bid this project.

CORRESPONDENCE: (A) Letter received from PennDOT regarding the Baltimore Pike/Pumping Station Road intersection. They will perform engineering and traffic studies and forward the results when completed. (B) Letter received from Filius & McLucas regarding the fee for the court reporter's attendance at a Zoning/Hearing Board Meeting. This was discussed during the executive session and will be acted upon later on the Agenda. (C) Letter received from Doug Stambaugh, SEO, concerning a septic system malfunction at a property on Lee Ann Court. On the SEO's recommendation and in a motion by Supervisor Parr and seconded by Supervisor Williams, the Board decided to have the owners fix the failing system and cite them for discharging untreated wastewater onto the ground. Motion carried.

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OTHER BUSINESS: (A) Supervisors Williams and Barnhart have been discussing this agreement and by the next Work Session Meeting they hope to have this revised EMT agreement along with a draft of an employee manual to present to the Board for their review. (B) The new Police Contract has been signed by the Police Department and reviewed by Linus. Linus would like to have the word “retroactive” removed from Article 2. The new contract will go into effect on January 1, 2010. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved the new contract with the necessary correction. Supervisor Raubenstine voted against this approval. (C) In a motion by Supervisor Barnhart, seconded by Supervisor Gobrecht and carried, the Board appointed Duane Diehl to fill the open position on the Township Planning Commission. (D) The hiring of a cleaning person for the Township building was discussed during executive session. Five applications were received and the applicants were interviewed. In a motion by Supervisor Gobrecht and seconded by Supervisor Parr, the Board approved the hiring of Absolutely Clean, Inc. of Spring Grove. Motion carried. (E) Two proposals were received for a maintenance contract on the heating/cooling units at the new building. Eshenaur Fuels installed the units and their proposal was for \$2,850.00. Davidson H & C, Inc. submitted a proposal in the amount of \$2,625.00. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board accepted the proposal from Davidson, H & C Inc. The Secretary will verify that the date on the proposal from Davidson H & C Inc. should be June 12, 2009 and not 2008.

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 Raubenstine: Joshua Hill Farm, 124 - lot Preliminary; Warner Farm, 15 - lot Preliminary; Preserve at Codorus Creek IV, 79 - lot Preliminary; Benrus Stambaugh et al, Land Development Plan and James Horak & Donald Yorlets, 6-lot Preliminary. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

(B) In a motion by Supervisor Parr 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;

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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; Wal Mart Real Estate Business Trust, 2-lot Final; John Bond & Angela Schmuck, 3-lot Final and Sheetz, Inc., 2-lot Final. Motion carried. Supervisor Barnhart abstained on several plans as per his previously submitted letter of abstention.

NEW BUSINESS: (A) Supervisor Barnhart has worked with the staff for the last two weeks and he sees a need for some new office equipment and supplies. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the purchase of two fire proof filing cabinets. The staff will check with Eicholtz Co. for a price on comparable cabinets. Scott explained that the office has two older computers that need replaced (Sandy's and Miriam's). In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board approved the expenditure of \$1,552.00 for two new computers. Motion carried. Scott explained that several other computers will be upgraded at a later time. Scott also reported that Harold had requested an ArcViewer System. This program would assist with acquiring addresses to adjacent property owners when an application is made to the Zoning/Hearing Board. Harold explained that it would also document roads, overlays for sewer lines, fire hydrants, water lines, etc. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved the purchase of an Arcview package from ProSolutions, Inc. in the amount of \$1,755.00. (B) A Certificate of Deposit was obtained many years ago that deals with the cul-de-sac on Skylite Drive. This work will probably never come to fruition and the best thing would be to return the CD. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved the return of these funds which amount to \$2,329.23. (C) In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the amending of the fee schedule to reflect an increase in the Zoning Application fee due to the fact that Filius & McLucas will now charge a flat rate for the court reporter to attend the meetings.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Sandy Myers, of Oakwood Drive, asked if the contractors could do something about the dust as they are working. Scott explained that they are to be wetting down the areas. They will try to keep the road swept and rolled as much as possible. Harold Hartlaub asked about extensions being given to the subdivision plans every month and then tabling them. Scott explained that, according to the MPC, the Board must take action on these plans every 90 days whether it be approving the plans, denying them or tabling them. Duane Diehl asked if the tar & chip application that is being done is the same thing that was used years ago. Scott reported that it is different now and they are trying to establish a good sub base with this application. Terry explained that Doli Construction will return

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to the area to do the yard stabilization work (remove stones, do grading and sow grass seed). Carnie Fryfogle was present to discuss the maintenance of the storm water basin on Lot 124 in Menlena Village. He expressed his wish to give the lot to the neighboring residents (Robert & Stephanie Laughman) and they have agreed to maintain it. Linus explained that on the original subdivision plan, the Homeowners Association was to take care of this basin, but an HOA was never formed. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized Linus to prepare a draft three-party agreement to verify who should be responsible for specific areas of the basin. Dave Megenhardt, of Bankard Road, asked the Board what action could be taken with trees, branches and overhangs on his property from his neighbor's property. This is apparently a problem every year at this location. Supervisor Barnhart indicated that this area was investigated and the overhangs are in the right-of-way. In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board decided to have Public Works cut to the right-of-way line. Mr. Megenhardt also requested an investigation of the WMT Police Department. All of his incoming calls on two consecutive days went directly to the Police Department. He wants to know why that was done. Chairman Barnhart said he will discuss this issue with the Chief and report back to Mr. Megenhardt.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, July 21, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting – Thursday, August 6, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 7:25 p.m. in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

Respectfully submitted,

Nancy C. Smith
Secretary