

## **WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS**

### **WORK SESSION**

**Tuesday, July 21, 2009 - 6:00 p.m.**

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

The Public Work Session was called to Order by Chairman Barnhart at 6:00 p.m., followed by the Pledge to the Flag and Invocation.

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

VISITORS: Visitors register attached.

PUBLIC COMMENT - ITEMS NOT LISTED ON AGENDA – Due to a large turnout of Township residents present tonight, the Board decided to entertain some public comment at this time. Most of the residents attending the meeting live in the section of the Township where the Area 2 Sewer Project is being constructed. Many voiced their displeasure with the contractors, the noise and dust and road closures in this area that affect them daily. Phil Diener, 422 Pumping Station Rd, was concerned with the way the sewer was installed on his property. He has a manhole at the end of his property. He also questioned the judgement of C. S. Davidson and feels that he has no means now to address these issues. Linda Gibson, 291 Valley View Drive, wondered why the residents were never given a timeline. She feels that someone needs to take the responsibility for this project and the inconvenience being bestowed on all the residents. She wanted to know when the project would be completed and when hook-up would be required. Ray Williams, 122 Valley View Drive, asked if Lakeview Terrace and Valley View Drive would be fixed after the project is completed. The Board explained the agenda for repairing the roads. Mary Ruby, 294 Valley View Drive, was concerned with getting out of her driveway in the winter if the roads aren't repaired and cannot be plowed. Dawn Cox, 103 Valley View Drive, indicated that there has been very little care and concern for the neighborhood and the ability of the residents to get in and out of their homes. She explained that there are public safety issues that have not been addressed. She also asked how the residents are to pay for this sewer project in these bad economic times. Jim Laughlin, 246 Valley View Drive, asked to view the Act 537 Plan where it was determined that there were septic system failures in this area that mandated the new sewer construction. He also asked that someone come out to his property and inspect the curbing that has been destroyed in front of his property.

West Manheim Township Board of Supervisors  
July 21, 2009 (Cont'd)

Jack Smith, 182 Valley View Drive, questioned the depth of the sewer line being run at his residence. Scott indicated that the original plans will be reviewed to check the grading in his area. Charles Bankert, 1582 Oakwood Drive, reported that he has had no problem with Doli Construction and he believes the dust problem is the result of people driving too fast on the roads. He also was concerned when Oakwood Drive would be repaired. Steve Smith, 342 Valley View Drive, requested a time frame for when The York Water Company would be running the water lines. Mike Knouse explained that they are ready to go as soon as the sewer project has been given a certificate of substantial completion by the Township. It was explained to him that the residents in this area may keep their wells for outside use after they have connected to the new water system.

At 8:00 p.m., the Board decided to take a five minute recess before continuing with the remaining agenda items.

**APPROVAL OF AGENDA:** The Agenda was approved with the following additions, (10B – Speeding Activity Report, 11D4 – Letter from York County Planning Commission, 11D5 – Information from PennDOT concerning LTAP, 11D6 – Letter from Zoning/Hearing Solicitor, Mr. Kalasnik, 11D7 – Letter from FEMA and 11D8 – Letter from DEP), in a motion by Supervisor Williams and seconded by Supervisor Parr. Motion carried.

**APPROVAL OF DISBURSEMENTS:** The Disbursements for the Month of July, 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 July 2, 2009, were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

**RECREATION BOARD REPORT:** Chris Gienski, Chairman of the Rec Board, reported that several projects of interest have come before the Recreation Board. Noah Staub would like to construct a remote-control car track. He has put together some rules and an amendment by resolution would need to be done to incorporate these rules. Ryan Wilson has proposed a dog park for several acres of the Rec land. He is patterning the rules of the dog park after Canine Meadows in John Rudy Park in York. Heather Toomey, an assistant manager at Wal Mart, would like to help the Rec Board put in the “Four Seasons Garden” section that is in the park master plan. Ms. Toomey is required to do a project as part of a performance evaluation. Linus indicated that the zoning restrictions for the Recreation Park should be reviewed and Chairman Barnhart cautioned Christine to be

West Manheim Township Board of Supervisors  
July 21, 2009 (Cont'd)

careful not to do something that will need to be undone as the different phases of the park are being developed. The Board and the Solicitor will review these proposals and will offer their comments at the next meeting.

CHIEF OF POLICE REPORT: (A) The Monthly Statistics Report for June, 2009 was approved in a motion by Supervisor Williams, seconded by Supervisor Parr and carried. (B) Supervisor Barnhart had asked the Police Department to monitor the newly surfaced roads in the Township for any speeding issues. Chief Hippensteel distributed a memo of the speeding activity over the weekend of 7-10-09 through 7-12-09 on Fairview Drive, Oakwood Drive and Fuhrman Mill Road.

ROUTINE WORK SESSION ITEMS: ENGINEER'S REPORT – Mike Knouse presented a written report of C. S. Davidson, Inc. dated July 21, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Construction Projects --- Street Maintenance Program – 2009 Street Improvements – The contractors have completed the paving portion of their contracts and are continuing with restoration work. Area 2 & 3 Sanitary Sewer – The engineers are working with Adams Electric for electrical service at the Area 2 Pump Station. An additional electrical easement is needed from Mr. Bollinger. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board authorized the execution of the easement agreement with compensation in the amount of \$2,500.00. Sanitary Sewer Manhole Lining – The remaining funds from the Area 1 Obligation Bond were approved for use in the lining of several deteriorated manholes. Bid specifications have been prepared and were approved for advertisement in a motion by Supervisor Parr and seconded by Supervisor Williams. Motion carried. Mike also reported that Fairview Drive is only in the binding course at this time. The wearing course will need to be put on at a later date.

SOLICITOR'S REPORT: Linus informed the Board that there is a right-to-know request ongoing at this time. It is between two contractors and is before the State Office of Open Records. They have been granted an extension until August 5<sup>th</sup> to make their decision. The Floodplain Management Ordinance has been advertised for adoption at the August 6, 2009 Meeting. Linus has drafted an agreement between Carnie Fryfogle, the Laughmans and the Township concerning the maintenance of the storm basin in the Menlena Development. The Board will review this draft. The Court of Common Pleas has upheld the Zoning/Hearing Board's decision in the Carl Grubb case. C. S. Davidson and Linus have reviewed the developers' agreement for sewer that was received from Penn Township. The Engineers have issued a draft of their comments on the agreement. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board authorized Scott to meet with Penn Township concerning these comments.

West Manheim Township Board of Supervisors  
July 21, 2009 (Cont'd)

ROADS, WATER LINE EXTENSIONS, PUBLIC SEWER and ETC. – There was nothing further to discuss.

CORRESPONDENCE: (1) Letter from PennDOT concerning the Township's request for a traffic study at Baltimore Pike and Shorbs Hill Rd. PennDOT will not review the request for a traffic signal at this location until the Township submits a traffic signal permit application and a letter of financial commitment. At Scott's suggestion, the Board decided to drop the discussion on this topic at this time. (2) Letter from DEP concerning their review of the 2008 Wasteload Management Report. This deals with a signed Consent Order & Agreement between DEP and Penn Township. DEP has approved 563 sewer taps for 2009 for Hanover Borough, Penn Township and West Manheim Township. (3) Letter from York County Solid Waste and Refuse Authority indicating that they are going to be conducting monthly electronics recycling programs. (4) Letter received from the York County Planning Commission saying they have reviewed the new Zoning Ordinance. They have concurred with the Township's recommendations. (5) The Township received some technical information sheets from LTAP dealing with the basics of a good road. (6) Letter from Attorney Kalasnik regarding the Grubb Zoning Appeal. (7) Letter from FEMA thanking us for implementing the floodplain management measures for our Township. (8) Letter received from DEP in regards to the outstanding issues with the storage tank at the old township building. They listed eight comments on deficiencies at the site. The Township will work with Chambers Environmental to address these issues.

REPORTS: The Treasurer's Report for June, 2009 was approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

The Code Enforcement Officer's Report for June, 2009, was accepted, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

The Pleasant Hill Volunteer Fire Company Report for June, 2009 was approved, as distributed in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

The Utilities Supervisor Report for June, 2009, was accepted, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

The EMA Activity Report for June, 2009 was approved and accepted in a motion by Supervisor Gobrecht and seconded by Supervisor Raubenstine. Motion carried.

West Manheim Township Board of Supervisors  
July 21, 2009 (Cont'd)

OTHER BUSINESS: (A) Supervisors Barnhart and Williams will get together and finalize the EMT Agreement and bring it back to the Board at the next meeting. (B) In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized the purchase of a surface mounted projection screen and the installation of two mic jacks at the podium in the Board Meeting room. These items will be purchased from and installed by B & B Communications. (C) The State is now requiring contractors to register with the State if they do work in excess of \$5,000.00. The Township also had contractors register with the Township. In a motion by Supervisor Gobrecht and seconded by Supervisor Williams, the Board approved the use of the State's contractor information and decided to keep a log of contractors names and phone numbers for Township use. Motion carried. (D) The Township received the 2008-2009 D.A.R.E. Report from the Penn Township Board of Commissioners. The Board of Supervisors will ask Chief Hippensteel to review this report and discuss it at the next meeting. (E) The Township will advertise for the sale of the Sweeper Broom again. The previous ad was misleading and bids were received to purchase a broom instead of bids for the sale of the broom. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized the re-advertisement. At this time, Chairman Barnhart asked if any of the Board members would like to take action on anything that was discussed in executive session. Supervisor Gobrecht made the motion that, effective immediately, the Board would remove Andy Richardson from the position of Township Manager and terminate his employment with West Manheim Township. The motion was seconded by Supervisor Parr and carried. Supervisor Raubenstine voted against this motion. In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board decided that, in the absence of the Township Manager and Roadmaster, Jeffrey Rummel be named to the position of Roadmaster. Motion carried.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Carl Grubb asked if he would be receiving any answers to the questions he had brought before the Board. Linus indicated that he had reviewed these questions with the engineers and he doesn't believe this Board of Supervisors or *anyone* can answer them. The questions refer to actions taken many years ago. The Board decided to take his concerns under advisement and look at the questions again. Marc Woerner asked if the members of the Board had read the newspaper article about the Penn Township sewer rate increases. He believes the Board should consider these increases when negotiating sewer with Penn Township. Supervisor Parr indicated that he would like to discuss the Township Newsletter and the Township Website at the next meeting.

NEXT SCHEDULED MEETINGS: Supervisors Regular Meeting – Thursday, August 6, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Work Session Meeting - Tuesday, August 18, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

Page – 6 –

West Manheim Township Board of Supervisors  
July 21, 2009 (Cont'd)

ADJOURNMENT: The Work Session Meeting was adjourned at 9:10 p.m. in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Nancy C. Smith  
Secretary