

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, August 6, 2009
6:00 p.m.

The Board of Supervisors held a brief executive session before the Meeting to discuss 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 and Parr. Supervisor Gobrecht was absent. Also present were Terry Myers and Mike Knouse from C. S. Davidson and Wayne Martin from Reager & Adler, PC.

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 Parr, seconded by Supervisor Raubenstine, and carried with the following addition: (14F – American Locksmith).

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

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of July 21, 2009 were approved, with one minor change, in a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried. Under Public Comment – Items Not Listed on Agenda, “Chairman Barnhart” will be changed to “the Board”.

RECREATION BOARD REPORT: Mike Knouse has worked up some figures for a 24-foot wide entrance to the Park which would include 15 parking spaces and some grading and seeding. It would also include some stabilization work in the fill area. He believes the work might cost between \$50,000.00 and \$60,000.00. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board agreed to have the engineers draw up plans for the entrance and send them out for bids. The Solicitor has reviewed the proposal for a dog park and offered several comments. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board voted to move forward with the dog park and incorporate the items recommended by the Solicitor. Wayne Martin will prepare an ordinance for adoption

West Manheim Township Board of Supervisors Meeting
August 6, 2009 (Cont'd)

at the next meeting. Noah Staub presented a proposal for a remote control car track and it has been reviewed by the Solicitor. Supervisor Raubenstine has a concern about the noise this might generate. He made a motion to proceed with this project for one year and review it again at that time. Supervisor Parr seconded the motion but his concern was that this project would be specific to a certain age group. The motion failed on a 2 – 2 vote. Supervisors Parr and Williams voted “yes” and Supervisors Barnhart and Raubenstine voted “no”. This project will be brought back before a full Board. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board granted permission for Heather Toomey, assistant manager of Wal Mart, to work with the Rec Board on the construction of the “Four Seasons Garden”. She will do this as part of a project required by Wal Mart for their employees.

SOLICITOR’S REPORT: Wayne Martin, representing Reager & Adler, PC, presented a draft of a proposed Water Shut-off Agreement that was revised to comply with the Public Utility Commission. Supervisor Williams made a motion to approve this agreement and it was seconded by Supervisor Parr. After discussion, the motion failed. The Board decided to review this draft and bring their concerns back to the next meeting. Board members expressed their concerns with several sections of the Agreement. Wayne has also been reviewing several Township Ordinances. He is looking at the ordinance for brush, grass and weeds in conjunction with the Property Maintenance Code and also the opening and cutting of streets ordinance. He will bring his recommendations back to the next meeting.

ENGINEER'S REPORT: Chairman Barnhart received a letter from Lutheran Social Services requesting a traffic study be completed for four-way stop signs at Muhlenberg Drive and Fairview Drive and Sunset Drive and Fairview Drive. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized the engineers to forward this request for a traffic study to the York County Planning Commission. Mike Knouse presented a written Report of C. S. Davidson, Inc. dated August 6, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Plan Review Status – Mike explained that all conditions have been met for approval of the John Bond and Angela Schmuck 3-lot Final Plan. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved this Final Plan. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and carried, the Board gave conditional approval to the Sheetz, Inc. 2-lot Final Plan. Public Improvement Security is still needed for this plan and it will not be signed or recorded until security has been posted. Supervisor Barnhart abstained from this vote. Construction Projects - Area 2 and 3 Sanitary Sewers – The contractor is continuing with the remaining sewer main on Valley View Drive and Oakwood Drive. A partial substantial completion for the work on Oakwood Drive and Marianne Drive has been issued in order to allow the York Water Company to begin construction. In a

West Manheim Township Board of Supervisors Meeting
August 6, 2009 (Cont'd)

motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved Application for Payment #7 for Doli Construction in the amount of \$417,402.34. In a motion by Supervisor Parr and seconded by Supervisor Raubenstine and carried, the Board approved Requisition #11 in the amount of \$440,043.24. Sanitary Sewer Manhole Lining – Public advertisement of this project has been made and bids will be received on August 13, 2009. Township Business – Municipal Building – Bid specifications have been prepared for the installation of the bullet proof glazing at the reception areas of the Township Building. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board authorized the advertisement of this project. Carl Grubb was present to discuss the storm drain work that was done on his property. He says the work is not complete. Mike will inspect the work that has been done and inform the Board at the next meeting.

CORRESPONDENCE: (A) Memo received from PSATS concerning the failure of the State to adopt the 2009-10 Budget. (B) Bev distributed a copy of the check that was received from Comcast for payment of the franchise fee for the first half of 2009. Supervisor Raubenstine asked if the Township is entitled to franchise fees from the other companies supplying cable in the Township. The Solicitor will look into this matter for the next meeting.

OTHER BUSINESS: (A) Supervisor Williams indicated that the agreement between the Fire Company and the Township concerning the EMT's can be adopted and signed. It has been reviewed by the Fire Company and by the Solicitor. These are employees of the Township and they will need to abide by the ordinances and resolutions of the Township as would any other employee. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the adoption of this agreement. Supervisor Raubenstine voted against this motion. In separate motions by Supervisor Williams and seconded by Supervisor Parr, the Board adopted Resolutions #2009-30 and #2009-31 which deal with vacations, holidays, personal time, comp time, bereavement leave and injury/major illness leave for the EMT's. These were adopted in two separate unanimous roll call votes of Board members present. (B) Chief Hippensteel submitted that the Township need not make this payment for the D.A.R.E. Program. All West Manheim Township students are being instructed by WMT Officer Craig Snyder. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board voted to deny Penn Township's request for payment for the 2008-2009 D.A.R.E. Program. (C) Supervisor Parr will discuss the Township Newsletter/Website at the next meeting of the Board.

NEW BUSINESS: (A) In a motion by Supervisor Williams, seconded by Supervisor Parr and a unanimous roll call vote, the Board adopted Ordinance #06-2009. This is a

West Manheim Township Board of Supervisors
August 6, 2009 (Cont'd)

revised and updated Floodplain Ordinance. (B) In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the attendance of Mike Hampton and Tim Pfaff to a Safety Awareness Training Program on August 27, 2009. (C) Paul Minnich was available to represent Burkentine & Sons regarding the Wyndsong Pointe and Steeple Chase Subdivision Plans. The review time for action on these plans expires at this meeting. Mr. Minnich asked if the Board would extend the review time for twelve months. After some discussion, the Board decided to grant them 90-day extensions through November 5, 2009 in a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried. Supervisor Barnhart abstained from this vote. (D) The Township staff has investigated the hiring of a company named Paychex to do payroll for the Township. It will be a cost savings to the Township. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the hiring of Paychex to start handling the Township payroll. (E) In a motion by Supervisor Raubenstine, seconded by Supervisor Parr and carried, the Board approved the purchase of a new copier from WPS. (F) Chairman Barnhart has received a quote from American Locksmith Service to replace the locks on all exterior doors at the Township building. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved this proposal from American Locksmith in the amount of \$690.73.

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; Fuhrman Mill Heights, 1-lot, 34 units - Final Plan; Glenn and Jennifer Auchey, 2-lot Final 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.
- (B) In a motion by Supervisor Parr and seconded by Supervisor Raubenstine, 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

West Manheim Township Board of Supervisors Meeting
August 6, 2009 (Cont'd)

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: James Cashdollar came before the Board to request that they consider rezoning his property at 5 Country Lane from Residential to Commercial. The Township Planning Commission and the York County Planning Commission did not recommend this re-zoning but Mr. Cashdollar explained that he bought this property as an investment and it lends itself to commercial use because it is located beside Reichart's Camping Center. Chairman Barnhart indicated that they will take his suggestion under advisement and the Public Hearing for the Zoning Ordinance will be held on September 3, 2009 at 6:00 p.m. Carl Grubb asked if the Board had answers to his questions that he had forwarded to them in writing. Chairman Barnhart indicated that if they can, they will answer his questions at the next meeting. At this time, Mr. Grubb has an ongoing lawsuit that still may be appealed. Byron Mayne reported that a company has been soliciting in his neighborhood without a peddler's permit. Chief Hippensteel indicated that the Police Department is in the process of stopping these individuals. Supervisor Parr made a motion to allow the Township staff to carry one week's vacation over to the following year. Supervisor Williams seconded the motion and it was carried. Supervisor Parr made a motion to make the Roadmaster Position part of the Office Administrator's job description and it will then continue to be included in the Township Manager's job description. The motion was seconded by Supervisor Raubenstine and carried. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved a pay increase for Mike Hampton, the Township's Emergency Management Coordinator.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, August 18, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting – Thursday, September 3, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 7:35 p.m. in a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried.

Respectfully submitted,

Nancy C. Smith
Secretary

