

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS

WORK SESSION

Tuesday, August 18, 2009 - 6:00 p.m.

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 –Chairman Barnhart asked if there were any residents present to discuss the article in the newspaper regarding the wages being paid to the Township position of Office Administrator. Marc Woerner of Shorbs Hill Road indicated that he has been receiving inquiries concerning the hourly rate for this position and how it was determined. Linus reported that the rate of pay was set by the Township Board of Auditors during an advertised public meeting held on July 29, 2009. One of the duties of the Township Auditors is to set Supervisor pay as employees of the Township. Mr. Woerner asked if the Board of Supervisor could ask for an explanation from the Auditors as to how they determined this rate of pay and also if he could request a copy of the minutes from this meeting of the Auditors. He believes the residents of the Township deserve an explanation and maybe the Auditors could provide this. Sylvia Shoemaker was appalled after reading the article in the newspaper. She reported that the Supervisor’s Handbook indicates there should be separation of powers between the governing body and the administrator. She believes there has been a breach of powers that could be reported to the PA State Ethics Commission and that there is a definite conflict of interest in having Supervisor Barnhart performing the duties of Office Administrator. She believes the Auditors should provide documentation as to how they arrived at this figure and that the public should be made aware of these types of decisions by the Board of Supervisors. The Board decided to ask the Auditors if they could provide documentation to back up their decision and this item will be discussed at the next meeting.

APPROVAL OF AGENDA: The Agenda was approved with the following additions, (13G – M3T Corporation, Service Package and 13H – Simplex Grinnell, Monitoring Agreement), in a motion by Supervisor Williams and seconded by Supervisor Parr. Motion carried.

West Manheim Township Board of Supervisors
August 18, 2009 (Cont'd)

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month of August, 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 August 6, 2009, were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

RECREATION BOARD REPORT: Noah Staub, who was to present a revised proposal for a remote control car track at the Park was unable to attend tonight's meeting. This item will be tabled until the next meeting on September 3, 2009. Chris Gienski, Chairman of the Rec Board, reported that she had met with Mike Knouse at the Rec Park site to map out locations for the Dog Park and the "Four Seasons Garden". The boundaries were marked and the property lines were set. These two projects will now begin. The remaining two yard sales for this year will be cancelled. Interest seems to be declining at this time of the year. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams, and carried, the Board agreed to allow the Fairview Schoolhouse Committee to continue the yard sales for this year as a fundraiser for their project. The 5K race that was held at the Rec Park raised over \$2,300.00. The Engineers have drafted a proposed schedule for the park improvements. The Resolution for the Dog Park Rules and Regulations will be reviewed and considered for adoption at the next meeting.

CHIEF OF POLICE REPORT: (A) The Monthly Statistics Report for July, 2009 was approved in a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried.

ROUTINE WORK SESSION ITEMS: ENGINEER'S REPORT – Mike Knouse presented a written report of C. S. Davidson, Inc. dated August 18, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). **Public Improvement Construction --- Northfields, Phase I –** The developer has met with the Township staff to review the inspection charges accrued for this Phase. These charges are a direct result of the Township's request to provide full-time inspection. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board agreed to allow part time inspection for Phase II of this project. The developer has agreed to pay outstanding fees. **Construction Projects --- Street Maintenance Program – 2009 Street Improvements –** The contractors have completed the paving portion of their contracts and are continuing with restoration work. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved Application for Payment #1 to Kinsley Construction for Project 1 in the amount of \$69,793.52. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved Change Order #1 for Shiloh

West Manheim Township Board of Supervisors
August 18, 2009 (Cont'd)

Paving for Project 2 in the amount of 21,424.46. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board also approved Application for Payment #1 to Shiloh Paving in the amount of \$72,611.04. In a motion by Supervisor Gobrecht and seconded by Supervisor Raubenstine, the Board approved Change Order #1 for Stewart & Tate for Project 3 in the amount of \$94,496.01. Motion carried. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board approved Application for Payment #1 to Stewart & Tate for Project 3 in the amount of \$263,357.24. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved Change Order #1 for Stewart & Tate for Project 4 in the amount of a reduction of \$2,363.24. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved Application for Payment #1 for Stewart & Tate in the amount of \$37,070.86 for Project 4. Area 2 & 3 Sanitary Sewer – The contractor has completed the installation of the sanitary sewer main in Area 2. They are proceeding with the installation of the laterals so trench restoration may be completed. Mike gave the Board a copy of a letter sent to Senator Waugh's Office in answer to their request for the process used for financing the Sewer Project. The design information and draft agreement have been sent to S & A Homes for their review concerning the extension of the sewer lines through the Fox Run Development. Sanitary Sewer Manhole Lining – In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board awarded the bid for lining the deteriorated manholes to PIM Corporation in the amount of \$29,023.50. Community Park, Phase 1 – A proposed schedule for the completion of the park entrance was distributed to the Board members. Miscellaneous --- Sanitary Sewer/Penn Township – A letter documenting the engineer's evaluation of the existing agreements with Penn Township has been forwarded to the Township for review. Stormwater Management – Grubb Property – The Township Public Works Dept. has flushed the pipe and removed all accessible debris in the pipe. Due to the recent heavy rainfall, additional debris has been dislodged and will need to be removed. Township Business --- Municipal Building – Bid specifications have been prepared for the installation of the bullet proof glazing in the reception areas and the project has been publicly advertised for bids. Bids will be received on September 2, 2009.

SOLICITOR'S REPORT: A conditional use application has been submitted by New Cingular Wireless PCS, LLC. Linus will advertise the Public Hearing for September 15, 2009 at 6:00 p.m. The request is to construct a 180-foot high wireless communications monopole and equipment shelter. The Public Hearings for the Comprehensive Plan and the New Re-zoning Ordinance will be held on September 3, 2009 at 6:00 p.m. The municipal liens for delinquent sewer payments have been filed in York County Court. The Agreement between Fryfogle, the Laughmans and the Township has been amended to include that the Township will be responsible for snow removal at the access drive of the stormwater basin in Menlena. This agreement was approved for signatures in a

West Manheim Township Board of Supervisors
August 18, 2009 (Cont'd)

motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried. Linus is also working on a degradation type of ordinance for when work is done on Township streets. Mike Knouse explained that this is similar to the Township Road Occupancy Ordinance and an amendment may be all that's needed. Linus will also submit a draft of an ordinance dealing with noxious vegetation for review by the Board members.

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

CORRESPONDENCE: (1) Letter received from the Hanover Area Family YMCA concerning sponsorship opportunities. Supervisor Barnhart asked that the Board review this for the next meeting. (2) Response letter received from PennDOT answering some questions that were submitted to them from Donna Bair, a resident of the Baltimore Pike.

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

The Code Enforcement Officer's Report for July, 2009, was accepted, as distributed, in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried.

The Pleasant Hill Volunteer Fire Company and EMS Reports for July, 2009 were approved, as distributed in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried.

The SEO Report for July, 2009 was approved and accepted in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried.

The Utilities Supervisor Report for July, 2009, was accepted, as distributed, in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried.

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

OTHER BUSINESS: (A) In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board appointed Supervisor Carl Gobrecht as liaison to represent the Township on the York County Tax Collection Committee. (B) Chairman Barnhart informed the Board that the subdivision for Glen Auchey, Jr. was extended at the last meeting. It was noted that the property has been sold and the plan may need to be re-submitted. A representative of Loss-Stair Civil Engineering will be asked to attend the

West Manheim Township Board of Supervisors
August 18, 2009 (Cont'd)

next meeting to explain the situation. (C) The discussion of charging cable franchise fees for the phone companies providing cable in the Township will be discussed at the next meeting. (D) The Township has advertised the sale of the Sweepster Broom again. The previous ad was misleading and bids were received to purchase a broom instead of bids for the sale of the broom. No bids were received. The Board decided not to sell the broom at this time. (E) The Township Website should be updated and available for use by the end of next week and Supervisor Barnhart will discuss the Township Newsletter at the next meeting. (F) In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved the request of Mike Hampton to purchase a weatherproof digital camera for use by Emergency Management and Emergency Services in the amount of \$299.95. (G) A service contract agreement has been received from M3T. They are the corporation that installed the electronic doors, card readers, etc. They have service packages that range from \$1,450.00 up to about \$7,000.00. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved the yearly service agreement for \$1,450.00. (H) Chairman Barnhart has received a quote from Simplex Grinnell, an automatic fire monitoring company. The water pressure is now adequate at the new building to make the sprinkler system operational. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the yearly contract fee of \$420.00 with Simplex Grinnell for monitoring. This will allow full occupancy at the new building.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Andy Hoffman of the Baltimore Pike complimented the Board on the job done this year on the roads. The repaved roads that he has been on are very nice. Dave Barber of Kenlee Circle had another question regarding the wage set for the Office Administrator. He asked if the Board of Supervisors could ask the Auditors to explain their reasoning behind the rate that was set. He questioned whether anything Scott is doing as Office Administrator would be considered a conflict of interest since he is an elected official. Supervisor Barnhart indicated that the Board will try to acquire some information from the Board of Auditors. Ed Gillman asked if the Township would be providing any payment options for those residents that will need to hook up to the new sewer lines. Supervisor Barnhart will contact Mr. Gillman with several options. Ken Parvis of Musselman Rd. questioned the need for bullet-proof glass and if this was not included in the original plans. Scott indicated that these windows were included in the original specs but had been omitted. Mr. Parvis asked about the website. The website is being set up by Axion Web Works and will be updated by the Township Staff. He also asked Supervisor Raubenstine to explain the comment he made about the Township saving money by appointing an Office Administrator. Darrell explained that some issues that could have been taken care of by the person in this position would have cost more if they needed to be turned over to an engineer. Harold Hartlaub asked why the Board did not invite the Auditors to this

Page – 6 –

West Manheim Township Board of Supervisors
August 18, 2009 (Cont'd)

meeting to explain how they arrived at the rate of pay for the Office Administrator position.

NEXT SCHEDULED MEETINGS: Supervisors Regular Meeting – Thursday, September 3, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Work Session Meeting - Tuesday, September 15, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Work Session Meeting was adjourned at 7:42 p.m. in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

Respectfully submitted,

Nancy C. Smith
Secretary