

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, September 3, 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 Terry Myers and Mike Knouse from C. S. Davidson and Solicitor Linus Fenicle.

RECOGNITION OF VISITORS: Visitor's Register Attached.

PUBLIC COMMENT - ITEMS NOT LISTED ON AGENDA

Members of the Southwestern School District Football Team were present requesting permission from the Board of Supervisors to hold bonfires at the Township Building on the Thursday nights before the scheduled home games on Friday nights. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved bonfires for the following dates: 9-10-09, 10-1-09, 10-15-09, 10-29-09 and 11-5-09.

The Regular Meeting of the Board was then adjourned at 6:05 p.m. in order to conduct two advertised Public Hearings. The Public Hearings were held to accept comments on the Amendments to the Township Comprehensive Plan and the Amendments to the Township Zoning Ordinance. A court reporter was present to take the minutes of both public hearings.

APPROVAL OF AGENDA: The Agenda was approved in a motion by Supervisor Williams, seconded by Supervisor Parr, and carried with the following additions: (13C – Letter from Irene Molzahn, 13D – Redmond Consulting, MMO's, 13E – Grant for Recycling, 14D – Chief Hippensteel, 14E - Invoice from M3T Corporation and 15F – Employee Wages.).

APPROVAL OF DISBURSEMENTS: The Disbursements for the Months of August and September, 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 Work Session Meeting of August 18, 2009 were approved in a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried.

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RECREATION BOARD REPORT: Noah Staub was not present to update the Board on his proposal for a remote-control car track. This item will be discussed at the next meeting of the Board. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved the purchase of a small amount of PVC piping to repair several areas of run-off along the trails. Chairman Barnhart informed the Board that Mr. & Mrs. Harold Hartlaub have offered to purchase the pavilion to be constructed at the Rec Park. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved the purchase of the pavilion. The Board will then discuss the installation of the pavilion at the next meeting.

SOLICITOR'S REPORT: The Resolution to adopt the dog park rules and regulations has been advertised. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and a unanimous roll call vote, the Board adopted Resolution #2009-35 which lists the Township Dog Park Rules and Regulations. Linus presented a draft of an amended Weed Ordinance. The Board will review this draft and in a motion by Supervisor Raubenstine and seconded by Supervisor Gobrecht, the Board authorized the advertisement of this amended ordinance. Motion carried. The Shut-off Agreement between The York Water Company and the Township was tabled. There were several concerns that were not resolved. Linus has reviewed the Ordinance establishing the Township Manager Position and the duties of that position. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried the Board gave authorization to the Solicitor to draft an amended Township Manager Ordinance to delete section B of the old ordinance that dealt with education and experience. Supervisor Barnhart abstained from this vote.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated September 3, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Construction Projects - Area 2 and 3 Sanitary Sewers – Mike provided the Board with several easements that are still needed and his recommendations for acquiring these easements. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved these offers as recommended by the engineers. In a motion by Supervisor Gobrecht, seconded by Supervisor Raubenstine and carried, the Board approved the request from Doli Construction to close Country Lane to allow for boring across the Baltimore Pike. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved Application for Payment #8 for Doli Construction in the amount of \$348,177.85. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved Application for Payment #3 for Electroventions, Inc. in the amount of \$1,218.00. In a motion by Supervisor Parr, seconded by Supervisor

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Williams and carried, the Board approved Requisition #12 in the amount of \$376,798.25. There are several sewer customers who will not be served by public water. It was decided to amend the fee schedule to establish the billing requirements for these customers. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board agreed to allow residents in the Area 2 & 3 service areas to pay their tapping fee prior to receiving their connection notice. These customers will not be able to pay for the permit and the clock will not start for the billing of sewer amounts.

Sanitary Sewer Manhole Lining – In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board authorized the signing of the Contract Agreement with PIM Corporation for this project.

Zoning Ordinance Updates – After conducting two separate public hearings on the amended Comprehensive Plan and Zoning Ordinance, the Board decided they would now take action on these two items. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and a unanimous roll call vote, the Board adopted Resolution #2009-36 which adopts the amended Comprehensive Plan. In a motion by Supervisor Parr, seconded by Supervisor Williams and a unanimous roll call vote, the Board adopted Ordinance #07-2009 which is the amended Township Zoning Ordinance.

Sanitary Sewer/Penn Township – The engineers have forwarded their letters to the Township which document the evaluation of the agreement with Penn Township and the evaluation of the Developer's Agreement. They will schedule a meeting with Penn Township.

432 Frogtown Road – A drainage complaint was received at this address. The engineers have reviewed the site and observed uncontrolled discharges from Musselman Rd. and Ruhlman Dr. They have determined that the improvements in these areas were approved before the Stormwater Management Ordinance was implemented. This item will be discussed at the next work session.

Township Business – Municipal Building – Bids were publicly received for the installation of the bullet proof glazing at the reception areas of the Township Building. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board approved the bid of \$10,075.00 from Emmitsburg Glass Company.

CORRESPONDENCE: (A) Letter received from FEMA reminding the Township to adopt a floodplain ordinance. The Township has adopted an ordinance and it has been submitted. (B) Letter received from PA Cleanways asking for the Township's help with a survey of York County roads for illegal dumpsites. (C) Letter received from Irene Molzahn expressing her concerns about the use of her property during the Area 2 Sewer construction. She is requesting compensation for damages to her property. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved a payment of \$2,250.00 to replace several trees. (D) Letter from Redmond Consulting LTD. advising the Board of the Minimum Municipal Obligations for the Pension Plans for the year 2010. These will need to be included in the 2010 Budget. (E) Letter

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received from DEP approving an Act 101 Recycling Program Performance Grant in the amount of \$3,601.00.

OTHER BUSINESS: (A) At the last meeting, the Board granted an extension until December 4, 2009 for the Glenn & Jennifer Auchey, 2-lot Final Plan. Chairman Barnhart indicated that in the letter requesting the extension it was noted that the Auchey's no longer own this land. In a motion by Supervisor Raubenstine, seconded by Supervisor Parr and carried, the Board decided to revoke the extension that was granted and deny the plan based on the lack of completing any outstanding issues on comments from the engineers or the York County Planning Commission and the fact that the land has been sold. (B) In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board adopted an amended Fee Schedule Resolution. The amendment deals with the fees on fencing. (C) Linus has briefly reviewed the concept of franchise fees and cable television. He reports that he believes that the phone companies that are offering cable TV to Township residents are using their own phone lines and would not be required to charge franchise fees. (D) Chief Hippensteel was present to request approval for the purchase of several items for the office. In a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried, the Board approved construction work in the booking area in the amount of \$1,925.00. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved \$3,318.00 to install three panic buttons in the front reception areas (Police Dept. reception area, Township reception area and Tax Collector reception area). Chief would also like to install a digital camera and monitoring device in the booking area and the interview rooms. The Board asked Chief to get three quotes and bring this item back to them for discussion. The Chief was authorized to use Wal Mart grant money for these purchases in a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried. (E) In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the payment of an invoice in the amount of \$2,088.00 for M3T Corporation for the electronic doors.

NEW BUSINESS: (A) The former Township Manager had been appointed to the position of the Right-to-Know Officer. In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board appointed the Township Manager and/or Office Administrator as the new Right-to-Know Officer. Secretary Nancy Smith will remain Assistant Right-to-Know Officer. (B) The Board received a letter of request from Mr. & Mrs. Scott McIlvain. They wish to install a fence around the perimeter of their property. The permit request to install the fence has been denied because the proposed fence would cross a 30-foot easement on the property. The Board members discussed the situation and in a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and carried, the Board authorized the Solicitor to draft an agreement between the Township and the McIlvains detailing the responsibilities of

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each party in the event the fence would need removed to provide access to utilities. (C) Chairman Barnhart distributed draft copies of an employee handbook. He asked the members to review this draft and send any comments to Laura Gately. (D) Staff members have received a proposal from Susquehanna Banks to implement remote deposit at the office. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the purchase of this program in the amount of a one-time charge of \$650.00 and a monthly fee of \$50.00 per month. (E) In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the suggestion of Ruth Neiderer to create a community information area in the lobby of the Township Building. This motion includes the purchase of a table and bulletin board. (F) In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved Scott Barnhart's recommendation for three wage increases, as listed, for office staff members.

SUBDIVISION PLANS:

- (A) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Parr and seconded by Supervisor Williams: 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. Lutheran Social Services – Phase 2, New Apartment Building has been given conditional approval and will not need an extension of review time.
- (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 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. The Auchey Plan was denied by the Board earlier in the Agenda and Lutheran Social Services has been given conditional approval.

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PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Harold Hartlaub questioned if the Board had received an explanation from the Auditors for the wage that was set for the Office Administrator position. The Board explained that the amount of \$46.50 per hour is based on salaries of similar positions in surrounding municipalities. The Board will be developing a new job description for the Township Manager position in a few weeks. Steve Hladio reported that he does not think the Board members should be comparing salaries of surrounding areas because that can result in increases in salaries in all areas. Mr. Tom Buhl and Mr. Ed Lane came before the Board to ask for guidance in what type of subdivision could be done with the Ron Cubbison property on Hobart Road. Mr. Lane would like to purchase the farm, subdivide it and take down the line of trees. They were just looking to receive an opinion from the Board on what actions could be taken with the property. Dave Barber had several concerns about the cost of maintaining the Rec Park in future years and where the funds will come from to maintain it. Andy Hoffman asked what action the Board had taken earlier in the Agenda concerning the bonfires that were requested by the football team. The bonfires had been approved and Mr. Hoffman does not think they should be allowed at this location. Marc Woerner asked if there was a job description for the Office Administrator position. He asked if he, as a concerned citizen, could contact the Auditors since they were not present at tonight's meeting to explain the reason for the wage that was set by them for this position. Supervisor Parr said he also would like an explanation and that he will contact the Board of Auditors and bring their explanation back to the next public meeting.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, September 15, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Supervisors Regular Meeting – Thursday, October 1, 2009 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 8:15 p.m. in a motion by Supervisor Parr, seconded by Supervisor Raubenstine and carried.

Respectfully submitted,

Nancy C. Smith
Secretary