

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS

WORK SESSION

Tuesday, December 15, 2009 - 6:00 p.m.

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

ROLL CALL: Present were Supervisors Parr, Raubenstine, Williams, Gobrecht and Hoffman. 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 – There were no comments.

Chairman Parr announced that the Board of Supervisors held a short executive session before the meeting to discuss a legal issue.

APPROVAL OF AGENDA: The Agenda was approved, with the deletion of 13D, in a motion by Supervisor Williams and seconded by Supervisor Gobrecht. Motion carried.

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month of December, 2009, from all Funds, were approved as listed in a motion by Supervisor Williams, seconded by Supervisor Hoffman and carried.

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of November 17, 2009 were approved, as distributed, in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried.

RECREATION BOARD REPORT: Christine Gienski thanked the WMT Lions Club for their donation to have the pavilion installed at the Rec Park. She also received a check for \$100.00 from Conewago Enterprises as a donation to the VolksMarch. Chris received word that the Park will be receiving a grant in the amount of \$250,000.00. This grant money is part of House Bill #3288 that is waiting for the president's signature.

CHIEF OF POLICE REPORT: (A) The Monthly Statistics Report for November, 2009 was approved in a motion by Supervisor Williams, seconded by Supervisor Hoffman and carried. (B) In a motion by Supervisor Williams, seconded by Supervisor Hoffman and carried, the Board gave approval to the Police Department for the purchase of a closed circuit DVR system for the police garage. The lowest bid received was from Moorefield Communications in the amount of \$9,308.00.

West Manheim Township Board of Supervisors
December 15, 2009 (Cont'd)

ROUTINE WORK SESSION ITEMS: ENGINEER'S REPORT – Mike Knouse presented a written report of C. S. Davidson, Inc. dated December 15, 2009. Written copies were distributed to Supervisors and Staff (copy in Township files). Public Improvement Construction --- Reservoir Heights-Phase 1 – In a motion by Supervisor Williams, seconded by Supervisor Hoffman and carried, the Board approved a reduction in security that was submitted by Abel Construction, Inc. The public improvement security can be reduced by \$779,416.00 leaving \$593,057.30 remaining. Construction Projects --- Area 2 & 3 Sanitary Sewer – Authorization has been provided for the declaration of taking for the Harry Bosse property and the S & A Homes property. Mike Knouse indicated that S & A Homes will sign their easement. In a motion by Supervisor Raubenstine, seconded by Supervisor Williams and a unanimous roll call vote, the Board adopted Resolution #2009-43 to start the process of declaration of taking of the Bosse property. Community Park – Phase 1 – Todd A. Gosnell has formally requested the withdrawal of the bid that they submitted for the construction of the entranceway to the Park. This contractor was also identified as a subcontractor on the second lowest bid. In a motion by Supervisor Williams, seconded by Supervisor Hoffman and carried, the Board agreed to reject all bids for this construction and retain the bid bond. Investigations and Reports --- Sewage Planning Update – The Act 537 Plan draft has been prepared and in a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried, the Board authorized its submittal to the York County Planning Commission and the West Manheim Township Planning Commission. Miscellaneous --- Sanitary Sewer/Penn Township – Penn Township has adopted the new sanitary sewer rate schedule and Mike recommended that the West Manheim Township sanitary sewer rate schedule be adjusted accordingly. In a motion by Supervisor Williams, seconded by Supervisor Raubenstine and a 4 - 1 roll call vote, the Board adopted Resolution #2009-44 which indicates an increase in the sewer rate schedules for West Manheim Township customers. Supervisor Hoffman voted against the adoption of this resolution.

SOLICITOR'S REPORT: Linus has reviewed the ordinance that Penn Waste would like to have the Township adopt concerning the collection of late payments, court costs, etc. Penn Waste indicated to Linus that they deal with the owners and never deal with the tenants of a property. The Board decided to invite someone from Penn Waste to attend the next meeting to answer some of the questions that were raised by the Board members. There seems to be a misunderstanding concerning the landlord/tenant situation. The Ordinance for the non-uniform pension plan has been advertised and is ready for adoption. In a motion by Supervisor Williams, seconded by Supervisor Hoffman and a unanimous roll call vote, the Board adopted Ordinance #10-2009. This Ordinance provides for the amendment and regulation of a municipal employees pension plan for full-time non-uniformed employees.

West Manheim Township Board of Supervisors
December 15, 2009 (Cont'd)

CORRESPONDENCE: (1) Invitation received to attend the PSATS 88th Annual Conference & Trade Show to be held in Hershey April 18 – 21, 2010. (2) Letter received from Leadership York explaining their Executive Connections Program. (3) Letter received from Doug Stambaugh of GHI Engineering and Surveyors requesting reappointment to the position of WMT Sewage Enforcement Officer. (5) Letter received from Linus Fenicle requesting reappointment to the position of Township Solicitor for 2010. These two appointments will be made at the Reorganization Meeting on January 4, 2010.

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

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

The Pleasant Hill Fire Company and Ambulance Reports for October, 2009 were accepted in a motion by Supervisor Williams and seconded by Supervisor Hoffman. Motion carried.

The SEO Report for November, 2009 was accepted, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Raubenstine and carried.

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

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

MANAGER'S REPORT: (A) Scott has contacted York County Emergency Services to get their input on what action needs to be taken in order to correct the address numbers on Edna Myers Lane. Due to the inconvenience this address change would have on the residents along this lane, the addresses will remain the same unless there is further development. At that time the changes to the numbering should be implemented. (B) In a motion by Supervisor Raubenstine, seconded by Supervisor Gobrecht and a unanimous roll call vote, the Board adopted Ordinance #11-2009 which regulates the opening and cutting of streets and installation of driveways within West Manheim Township. (C) Scott explained that he is trying to work with the York Water Company to decide what fee they would need to collect from the Area 2 residents if the residents could wait and hook up to water and sewer at the same time. Many of these residents have asked to

West Manheim Township Board of Supervisors
December 15, 2009 (Cont'd)

able to do both connections at one time. In a motion by Supervisor Raubenstein, seconded by Supervisor Gobrecht and carried, the Board authorized Scott to continue with these negotiations.

NEW BUSINESS: (A) In a motion by Supervisor Gobrecht, seconded by Supervisor Raubenstein and carried, the Board approved the payment of \$1,179.00 for membership renewal to PSATS for 2010. (B) In a motion by Supervisor Gobrecht and seconded by Supervisor Raubenstein, the Board requested proposals from Stambaugh Ness to perform the audits of the 2009 Water and Sewer Accounts. Motion carried. (C) Chairman Parr made a motion to appoint Scott Barnhart as the new Township Manager/Zoning Officer/Roadmaster at a salary of \$68,000.00 per year. The motion was seconded by Supervisor Gobrecht. The Chairman then asked for any comments. Chuck Dorn asked why the Board would appoint Scott to the position when the residents of the Township voted him out of office as a Supervisor at the recent election. He indicated that he feels the Board is not acting in the best interest of the Township. Owen Walsh complemented the Board in their selection of Scott to this position. He finds Scott to be very knowledgeable and is working in the best interest of the Township. Donna Elicker believes this appointment presents a conflict of interest when one person holds all three positions. She feels there should be one person for each position. Chairman Parr then asked for a vote on the motion. The motion carried 4 – 1 with Supervisor Williams voting against the appointment of Scott Barnhart. (D) In a motion by Supervisor Gobrecht, seconded by Supervisor Raubenstein and a unanimous roll call vote, the Board adopted Resolution #2009-45 establishing the 2010 real estate millage rate. (E) In a motion by Supervisor Raubenstein, seconded by Supervisor Gobrecht and a unanimous roll call vote, the Board adopted Resolution #2009-46 imposing the street light tax levy for the fiscal year, 2010. (F) The Board adopted Resolution #2009-47 imposing the wage tax and per capita tax levy for the fiscal year, 2010, in a motion by Supervisor Raubenstein, seconded by Supervisor Gobrecht and a unanimous roll call vote of the Board members. (G) The Board adopted Resolution #2009-48 for the transfer of unencumbered monies in a motion by Supervisor Williams, seconded by Supervisor Raubenstein and a unanimous roll call vote.

PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Supervisor Hoffman thanked the Board for appointing him to serve as a member of the Board through the end of the year. Supervisor Raubenstein thanked the Board and the residents for allowing him to serve on the Board of Supervisors. Edward Bortner asked about the tax increase. He asked about the money that was received from the sale of the water system and also what the plans are for the Fairview Drive building. Doli Construction is renting the building at this time and the plan is to sell it after an environmental issue is resolved.

Page - 5 -

West Manheim Township Board of Supervisors
December 15, 2009 (Cont'd)

Duane Diehl and Dawn & Newell Cox asked about when they can connect to the water and sewer systems. They will be notified of the time for connection.

NEXT SCHEDULED MEETINGS: Supervisors Reorganization Meeting – Monday, January 4, 2010 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m. Work Session Meeting - Tuesday, January 19, 2010 at 6:00 p.m. with Supervisors Caucus at 5:30 p.m.

ADJOURNMENT: The Work Session Meeting was adjourned at 7:44 p.m. in a motion by Supervisor Hoffman, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Nancy C. Smith
Secretary