

# **WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS**

## **WORK SESSION**

**Tuesday, January 19, 2010 - 7:00 p.m.**

The Public Work Session was called to Order by Chairman Hartlaub at 7:00 p.m., followed by the Pledge to the Flag and Invocation.

ROLL CALL: Present were Supervisors Hartlaub, Woerner, 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 – There were no comments.

APPROVAL OF AGENDA: The Agenda was approved, with the addition of 15E – Leaky roof in the back of the municipal building and the deletion of 13C – Pleasant Hill Fire Co. Report and 13D – SEO Report, in a motion by Supervisor Williams and seconded by Supervisor Gobrecht. Motion carried.

Randy Brady was present to thank the Township for allowing the South Western School District football team to hold bonfires at the Township building. He presented a check to Christine Gienski as a donation to the Rec Park. He also asked the Board to consider the bonfires again for next year.

Vice-Chairman Woerner explained that there was an executive session held before the start of the meeting to discuss a legal issue. He reported that there was an executive session held on Jan. 14, 2010 for the purpose of interviewing three candidates for the position of Township Manager and there will be another executive session held on January 20, 2010 to interview two additional candidates. (A copy of Supervisor Woerner's report is on file in the Township and will become part of tonight's meeting minutes)

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month of January, 2010, from all Funds, were approved as listed in a motion by Supervisor Williams, seconded by Supervisor Woerner and carried.

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of December 15, 2009 and the Reorganization Meeting of January 4, 2010 were approved, as distributed, in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

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**RECREATION BOARD REPORT:** The Rec Board is once again meeting the second Monday of the month. They met on January 11, 2010 and discussed several fund raising events for the coming year. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved allowing the Rec Board the authority to spend up to \$500.00 per event and providing receipts for reimbursement. She asked if the Board members could meet with her on Feb. 4, 2010 during the Supervisor's Caucus before the Board meeting to discuss several new ideas for the Park. Chris is going to look into the possibility of splitting some Recreation money into higher-interest bearing accounts. She also expressed the Board's concern for getting the pavilion off the ground and getting it installed. In a motion by Supervisor Gobrecht, seconded by Supervisor Woerner and carried, the Board asked Christine to move forward with this installation.

**CHIEF OF POLICE REPORT:** (A) The Monthly Statistics Report for December, 2009 and the Year End Report for 2009 were approved in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

**FINANCIAL REPORT:** Bev Weaver presented a report to the Board members. The first item deals with Purchase Orders and spending procedures that are now in place. In a motion by Supervisor Woerner, seconded by Supervisor Parr and carried, the Board approved a mass mailing to all vendors outlining the new procedure. In a motion by Supervisor Parr, seconded by Supervisor Woerner and carried, the Board also approved the memo to be sent to all employees explaining the new procedures. Bev explained the limited amount of income for the Township at this time of the year. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved the transfer of \$200,000.00 from the Money Market Account to the General Fund to cover invoices. She will update the report monthly from now until tax payments are due in April. In a motion by Supervisor Woerner, seconded by Supervisor Parr and carried, the Board approved the payment of \$4,376.00 to C. A. Weber Agency to cover the new bonding amounts for the Township Secretary and Treasurer. The Board approved the payment of \$1,295.00 to Freedom Systems for the Maintenance Contract for the Code Enforcement Department in a motion by Supervisor Williams and seconded by Supervisor Woerner. Motion carried.

**ROUTINE WORK SESSION ITEMS: ENGINEER'S REPORT –** Mike Knouse presented a written report of C. S. Davidson, Inc. dated January 19, 2010. Written copies were distributed to Supervisors and Staff (copy in Township files). Construction Projects --- Street Maintenance Program – The Board affirmed the schedule provided by C. S. Davidson for the 2010 Street Improvements that were approved in the 2010 Budget. Bridge Inspection – DEP has issued the permit for the Tracey Rd. bridge replacement. The Board accepted the proposed schedule. Investigations and Reports --- Sewage

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Planning Update – The Act 537 Plan draft has been formally submitted to the WMT Planning Commission and the York County Planning Commission. Zoning Ordinance Updates – The amendments were reviewed by the York County Planning Commission and comments were received. The text amendment will be revised and sent back for the February meeting of the YCPC. Area 2 & 3 Sanitary Sewer – In a motion by Supervisor Williams, seconded by Supervisor Parr and a unanimous roll call vote, the Board adopted Resolution #2010-13 for the declaration of taking for the Yingling/Small property and the David and Tracy Scott property. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board authorized the payment of \$6,000.00 for the easement at the Douglas and Stacy Conaway property. The Board also approved the payment of \$12,000.00 to Harry & Robin Bosse for their easement in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

SOLICITOR'S REPORT: The Ordinance for providing for the amendment and regulation of a police pension plan has been advertised and is ready for adoption. In a motion by Supervisor Williams, seconded by Supervisor Woerner and a unanimous roll call vote, the Board adopted this Ordinance #01-2010. Linus reported that he has been helping Laura and Nancy with some Right-to-Know requests and he is helping Harold with some zoning questions.

CORRESPONDENCE: (1) Pamphlet received from the Farm & Natural Lands Trust of York County detailing the 2010 Municipal Educational Series.

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

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

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

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

OLD BUSINESS: (A) The Board decided to discuss the certificate of completion for BFPE at a later date. The Board would like to wait until the final inspection is done on the new building. (B) In a motion by Supervisor Woerner, seconded by Supervisor Parr

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and carried, the Board decided to table the discussion on the community room rental agreement until the next meeting. The members will review this agreement and finish the areas that are not completed. (C) David Barber of Kenlee Circle recommended the purchase of a digital recorder and AC adapter for the meeting room from a store that has a full refund approval period in case the recorder does not match the specifications of the Township's mixer. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved this purchase. (D) There was more discussion on the topic of allowing sledding at the Township Building. Supervisor Woerner has spoken with some of the surrounding property owners – some expressed concern for safety and property damage and some had no problem with allowing the sledding. Supervisor Hartlaub made a motion to ban sledding at the Township building and post "No Sledding" signs. Supervisor Williams seconded the motion and it carried. Supervisors Gobrecht and Parr voted against this motion. (E) Department liaisons will be discussed at the next Board Meeting. (F) The Board decided to obtain more information on the cost of distributing the Township newsletter from Laura Gately and discuss this further at that time.

NEW BUSINESS: (A) Michael Lillys, Managing Director of RBC Capital Markets, was present tonight to discuss some proposed refunding opportunities for the 2004 Bond Issue that the Township took out at the start of the Area 1 Sewer Project. Mike explained the amount of savings that might occur if the Township would decide to refinance the Bonds. The Board decided they will review the information in more detail and inform Mike of their decision at a later time. (B) Eric Seitz, Finance Manager of Penn Waste, explained Penn Waste's request to have the Township adopt an ordinance that would allow Penn Waste to collect fees associated with late payments or no payments by their customers. Typically, the property owner is the responsible party for payment of the trash bill. Penn Waste will consider collecting from the party listed on the bill as the billing customer, whether property owner or tenant. The Board will have the Solicitor review the Ordinance and bring his recommendation back to the Board members. (C) Bids for a drum style brush chipper were then opened and read. There were three bids received. Vermeer North Atlantic Sales & Service bid \$28,674.00. Deacon Equipment Company bid \$26,900.00 and Cleveland Brothers bid \$25,181.00. In a motion by Supervisor Woerner, seconded by Supervisor Williams and carried, the Board decided to reject all bids at this time due to the lack of available funding in the Budget at this time of the year. (D) The Board tabled the discussion on estimates from Channell's Locksmith Shop to replace a door at 31 Fairview Drive. (E) In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the proposal from Wildasin Roofing to repair a leak in the roof in the back hallway of the Municipal Building.

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PUBLIC COMMENTS AND/OR SUPERVISORS COMMENTS: Andy Hoffman, 2575 Baltimore Pike, had several comments. He is glad that Penn Waste decided to bill the tenant for garbage collection instead of the homeowner. He said the other utilities always bill the tenant. He also expressed his wish that the new Board of Supervisors would reconsider the offering of health insurance to the members of the Board. This is very expensive and Township residents should not have to pay for this in tax monies. Supervisor Woerner stated that this health insurance for supervisors has been in place for several years and he appreciates the opportunity to have the health insurance. Supervisor Woerner stated most people realize that you need to have a way to compensate people and that it was compensation for the job the residents hired him to do and he very much appreciates it. Andy was also stunned to hear the Board's decision to terminate Scott Barnhart at the last meeting. He believes it is not too late to correct their mistake and hire Scott back as Manager. Darrell Raubenstine, 97 Sunnyside Drive, asked the Board to reinstate Scott Barnhart as Township manager. He stated that to dismiss an employee in this manner is simply wrong. There was no alleged misconduct or wrongdoing. He indicated that at the conclusion of the interviews and when all scores were totaled, Scott had the highest score and no one seemed to have any issues. Supervisor Woerner stated that he expressed his opinion about hiring Scott and how it would be viewed by the residents in the executive interview session but did not have a vote. Darrell asked the Board to reconsider and do the right thing. Holly Zumbur, 138 Pumping Station Rd., stated that she is tired of "politics as usual" and the problem was the appearance of how the process of hiring a manager was conducted. She also asked if any of the other supervisors were on the township health insurance and Carl Gobrecht raised his hand and stated that he was also on the insurance. Mike Hawkins, 151 Pumping Station Rd., feels that there was an air of impropriety and the process was done under the table. He stated that, in his opinion, paid health insurance should be included as an incentive to get the most qualified people to run for supervisor. He also indicated that if we needed to offer health insurance as a way to find good people who were willing and able to do a good job for the township, he was okay with his tax dollars going towards that. Sylvia Shoemaker, 65 Shaffer Circle, stated that the newspaper is reporting what's happening in this meeting room and it's unfortunate, but she still does not understand what the rush was to hire before the new Board was seated. Allan Bean, 1852 Oakwood Dr., reported that there has been standing water on his property now that the public sewer has been installed. Mike Knouse will look into this problem. Duane Diehl, 1525 Oakwood Dr., asked why he was told he can only hook up one outside faucet to his well after he is hooked up to public water. Mike Knouse will look at the Ordinance to see if this was documented. He stated that Supervisor Woerner ran his campaign on cutting costs and is now receiving the Township Health Insurance for him and his family. He also believes Scott Barnhart would be the best candidate for the position of Township Manager. Matthew Gelazela, 2512 Baltimore Pike, asked if the Township could provide plenty of notice to the

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residents concerning the new sewer projects and also provide an estimate of the cost of hook-up. Dick Forester, 386 Valley View Drive, asked about the increase in the amount of the public sewer bills. Terry Myers explained the agreement between Penn Township and WMT regarding the sewer rates. Brian Shirk, 251 Valley View Drive, made a request to be able to hook up to the public water and public sewer at the same time. He asked the Board to speak to The York Water Company about this request. Bobbie McGillvray, 60 Michelle Way, lives down the hill from the Township building and has never had any problem with the sleds. Carl Grubb, 590 Impounding Dam Rd. asked if Darrell Raubenstine was receiving the paid health insurance when he was a supervisor. Chuck Dorn, 907 Hobart Rd., would like the Board to put the educational requirements back into the manager's job description. Butch Saltzgeber, 1710 Baltimore Pike, stated that the members of the Board should have provided information to the newspaper. This only made the process seem like it was handled under the table.

NEXT SCHEDULED MEETINGS: Supervisors Regular Meeting – Thursday, February 4, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m. Work Session Meeting - Tuesday, February 16, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m.

ADJOURNMENT: The Work Session Meeting was adjourned at 9:30 p.m. in a motion by Supervisor Woerner, seconded by Supervisor Hartlaub and carried.

Respectfully submitted,

Nancy C. Smith  
Secretary