

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, April 1, 2010
7:00 p.m.

A Public Hearing was held before the start of the regular meeting to hear comments on an application for conditional use from Nextel Communication of The Mid-Atlantic, Inc. to use the property at 2412 Baltimore Pike for a proposed co-location of wireless communication with equipment shelter on existing water tank site owned by the York Water Company. A court reporter was present to take the minutes of the Public Hearing. At the conclusion of the Public Hearing and in a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the Conditional Use Application.

Chairman Hartlaub reported that the Board held a brief executive session this evening before the Regular Meeting and also an executive session was held on March 25, 2010 to discuss legal 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 Hartlaub, followed by the Pledge to the Flag and the Invocation.

ROLL CALL: Present were Supervisors Hartlaub, Woerner, Williams, Parr and Gobrecht. Also present were Terry Myers and Mike Knouse from C. S. Davidson and Wayne Martin, P.E. of Reager & Adler, PC.

RECOGNITION OF VISITORS: Visitor's Register Attached.

APPROVAL OF AGENDA: The Agenda was approved in a motion by Supervisor Woerner, seconded by Supervisor Gobrecht, and carried.

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

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of March 16, 2010 were approved in a motion by Supervisor Williams, seconded by Supervisor Woerner and carried.

RECREATION BOARD REPORT: Chris Gienski asked about the permit for the gravel access road at the park site and Mike Knouse said it is being prepared for signatures and submittal. Chris talked to DCNR regarding the grant application that was submitted. DCNR indicated that the past cycle of applications was very competitive and Chris will be submitting a new application for grant monies. She has

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no word on the appropriation and has received no response from Representative Platts office. Mike Knouse reported that he is working with Todd Gosnell to resolve the issue regarding the bid bond check.

SOLICITOR'S REPORT: Wayne Martin reported that he has prepared the declaration of consolidation to join the two parcels of land at the Township Building that was discussed during the Public Hearing. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board approved the signing of the Declaration of Consolidation. He also notified the Board members that the Township has been served with a complaint of trespass in York County Court of Common Pleas and the Solicitor's Office will be defending this complaint.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated April 1, 2010. Written copies were distributed to Supervisors and Staff (copy in Township files). Construction Projects – Street Maintenance Program – The 2010 budget allocated funds for street improvements and the scope of work will be tailored to the budget. The schedule anticipates advertising for bids in April to open on May 13, 2010. Bridge Inspections – PA DEP has issued the permit for bridge maintenance and the Tracey Road bridge replacement. Advertisement has been made and bids will be opened on April 15, 2010. Area 2 and 3 Sanitary Sewers – Doli Construction is continuing with testing and restoration work. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved Application for Payment #15 for Doli Construction in the amount of \$354,678.70. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved Requisition #19 in the amount of \$812,624.29. Investigations and Reports – Sewage Planning Update – The Act 537 Plan update has been advertised for the 30-day public comment period. The Board members should provide any comments they may have and all written comments will be reviewed and addressed at the next Work Session Meeting. Zoning Ordinance Updates – A public hearing has been scheduled for April 20, 2010 to discuss the updates to the Zoning Ordinance. Miscellaneous – PA H2O Grant – An application update form has been received. All applications that did not receive funding are being rolled into the next grant application cycle. The update request form is being completed for submission prior to July 1, 2010. Traffic Impact Fees – Traffic Planning and Design has provided a presentation on impact fees and as presented, the implementation of these fees is a multi-step process. Mike recommended that if the Board is interested in pursuing this idea that a preliminary feasibility analysis be completed at a cost of about \$3,000.00. In a motion by Supervisor Williams, seconded by Supervisor Woerner and carried, the Board agreed to have an analysis done and then discuss this issue at a later time after results of the study are received.

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CORRESPONDENCE: (A) “Thank-you” received from Midway Volunteer Fire Company for the donation of the Mita copier. (B) Letter received from Edward and Vernice Hetrick in regards to the sewer project and the impact of the project on their farmland. Mike Knouse will investigate the reported loss of farmland and report back to the Board. The township will acknowledge receipt of the letter and after review, a decision will be forthcoming. (C) Letter received from Jeff Hacker, Jr. requesting funding for his trip to El Salvador. Chairman Hartlaub will make this request available for anyone who wishes to participate in the donations but he does not think this is something the Township should be doing with township funds.

MANAGER’S REPORT: (A) Kevin has formally requested a meeting with Penn Township to review and evaluate the current sewer rates. Penn Township is currently reviewing more documentation that has been provided to them. Kevin anticipates a meeting within the next couple weeks. (B) A process had been implemented for the Township Planning Commission to review and make recommendations on any developer’s request for extension. (C) The emergency repairs to the sewer line along Pumping Station Road have been completed. (D) Penn Waste has inquired about the status of their request for a Refuse & Recycling Ordinance for them to be able to collect late fees. Linus has provided a draft ordinance and the Board will revisit this request at the next Work Session Meeting. (E) Kevin has received a proposal from Susquehanna Banks to modify the interest rates on the Township building loans. The current rates are 4.69% and 4.99%. The proposed rate would be 4.49%. In a motion by Supervisor Woerner, seconded by Supervisor Williams and carried, the Board authorized Kevin to further negotiate the proposal or accept the offer that was made. (F) In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the hiring of an on-call employee for the Public Works Department. (G) Kevin reported that the Public Works crew has begun some road repair and clean-up work.

NEW BUSINESS: (A) In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board authorized a request from Pleasant Hill Fire Company for fire police help during the Pleasant Hill Carnival to be held later in the summer. Letters of requests for help will be sent to the Borough of Hanover and Penn Township.

SUBDIVISION PLANS:

- (A) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Gobrecht and seconded by Supervisor Williams: 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; Fuhrman Mill Heights, 1-

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lot, 34 units - Final Plan and James Horak & Donald Yorlets, 6-lot Preliminary. Motion carried.

- (B) In a motion by Supervisor Williams and seconded by Supervisor Parr, 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 and James Horak & Donald Yorlets, 6-lot Preliminary. Motion carried.

SUPERVISORS AND/OR PUBLIC COMMENTS: Chairman Hartlaub asked the Board members to reconsider his earlier idea of the Township discontinuing the offer of health insurance for the members of the Board of Supervisors. He would like to see the current members who are part of the plan to be grandfathered in, but insurance would not be offered to any new Board Members. In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board voted 4 – 1 to adopt this new policy for participation in the Township Health Insurance Plan. Motion carried. Supervisor Woerner voted against this motion. The Solicitor indicated that this change will need to be established by Ordinance and the health care plan will need to be amended. Andy Hoffman asked if there needed to be a reverse subdivision plan filed to consolidate the two parcels at the new Township Building. Mike Knouse reported that he discussed the consolidation with Linus and a reverse subdivision would not be needed. Chuck Dorn asked how much money is owed on this new building. Kevin reported that there was a 3 million dollar loan and a \$600,000.00 loan. The payment is approximately \$295,000.00 per year for 18 years. Carl Grubb asked the Board to review the amount of compensation that was forwarded to the Hetrick's for the use of their farmland for the sewer project. Sylvia Shoemaker asked if the Board could examine the traffic situation along the Baltimore Pike. She suggested there might be a timing issue at some of the traffic signals that causes a back-up. Ron Wine asked about the plans for the old building on Fairview Drive. It was explained that there are some environmental issues there that prevents the sale of the property at this time. Dave Barber asked if the Township crew could make some repairs on Utz Drive. There has been a lot of damage to that road since the winter storms. Supervisor Woerner asked if the Board members would reconsider their decision on the purchase of a new dump truck. He asked someone to explain the need for this truck at this time. After some discussion,

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Supervisor Woerner made a motion to rescind the motion for this purchase and revisit this in the fall of the year. Supervisor Parr seconded the motion and the motion was defeated in a 3 – 2 roll call vote. Supervisors Hartlaub, Williams and Gobrecht voted against the motion and Supervisors Woerner and Parr voted for the motion. The Board will not rescind this motion to purchase a pick-up truck but the Board will take a good look at the budget before spending the funds. Kevin indicated that no purchase will be made until the Board reviews the budget and approves the expenditure of the funds.

NEXT SCHEDULED MEETINGS: Public Hearing – Zoning Ordinance Amendments, Tuesday, April 20, 2010 at 7:00 p.m. Supervisors Work Session - Tuesday, April 20, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m. Supervisors Regular Meeting – Thursday, May 6, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 8:47 p.m. in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Nancy C. Smith
Secretary