

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, May 6, 2010

7:00 p.m.

A Public Hearing was held before the start of the regular meeting to hear comments on the conditional use request of the County of York, Department of Emergency Services. The request is to use the property at 2412 Baltimore Pike for a proposed co-location of a communications antenna with equipment shelter for the Countywide Public Safety Radio Communications System on the 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 Gobrecht, seconded by Supervisor Woerner and a unanimous roll call vote, the Board approved the Conditional Use Application.

The Meeting was called to Order by Chairman Hartlaub after the closing of the Public Hearing, 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 Solicitor Linus Fenicle.

RECOGNITION OF VISITORS: Visitor's Register Attached.

APPROVAL OF AGENDA: The Agenda was approved with the addition of 13B – Hiring of a new EMT, in a motion by Supervisor Williams, seconded by Supervisor Parr, and carried.

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

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of April 20, 2010 were approved in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried.

RECREATION BOARD REPORT: Chris Gienski thanked Manager Kevin Null and Engineer Mike Knouse for finishing the grant application to DCNR and also reported that they will be working on the required paperwork for the Housing and Urban Development appropriation. Keith Smith has completed his portion of the work for the pavilion and also dug out the two volleyball courts. The pavilion should be constructed within the next couple weeks. Christine has selected a contractor for the dog park. The lowest estimate came from Millcreek Fence and Decks, LLC. in the amount of \$9,848.60. In a motion by Supervisor Woerner, seconded by Supervisor Williams and carried, the Board approved having the fence knocked down to make way for the dog park. Joe Ramsey will complete this project at a cost of \$600.00. Estimates are now being received for the grading of the dirt mound. The recent park clean-up day was a

West Manheim Township Board of Supervisors Meeting
May 6, 2010 (Cont'd)

success. All trees were planted and more trails were cleared. The Rec Park is now selling T-shirts in white or gray for \$10.00 a piece. Christine also reported that she was contacted by Brigette Miller who is the Founder and Chair of Hailey's Wish Foundation. This foundation builds playgrounds for disabled children. They have installed a playground at Westminster Hospital and would like to put a second playground in the Township Rec Park.

SOLICITOR'S REPORT: Solicitor Linus Fenicle indicated that he had nothing to report other than what was listed on the Agenda.

ENGINEER'S REPORT: Mike Knouse presented a written Report of C. S. Davidson, Inc. dated May 6, 2010. Written copies were distributed to Supervisors and Staff (copy in Township files). Plan Review Status – In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board gave approval to the Dwight & Pamela Myers, 3-lot Final Plan. Public Improvement Construction – Reservoir Heights-Phase 1 – A walkthrough for the placement of the wearing course was done on May 5, 2010. There are several punch list items that still need to be completed. Construction Projects – Traffic Signals - The Township has contacted Sheetz, Inc. concerning the installation of the pre-emption devices. A phone call was received from Sheetz on May 5, 2010 indicating they are willing to install these devices. Area 2 and 3 Sanitary Sewers – Doli Construction is continuing with the restoration work. In a motion by Supervisor Williams, seconded by Supervisor Woerner and carried, the Board approved Application for Payment #16 for Doli Construction in the amount of \$132,770.29. Linda Gibson of Valley View Drive asked for a timeframe for the restoration work. Mike Knouse reported that they have 30 days to complete this work. In a motion by Supervisor Gobrecht, seconded by Supervisor Woerner and carried, the Board approved Application for Payment #4 for Electroventions, Inc. in the amount of \$22,624.75. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board approved Requisition #20 in the amount of \$161,000.45. Jim Laughlin of 246 Valley View Drive asked about some restoration work that was done by The York Water Company. The engineers instructed him to contact York Water about his concerns.

CORRESPONDENCE: (A) Letter received from the York County Planning Commission containing an updated list of Minority and Female Owned Businesses in the county. (B) An invitation received from the Lancaster Inter-Municipal Committee to the 21st annual dinner meeting on Wednesday, May 26, 2010.

West Manheim Township Board of Supervisors Meeting
May 6, 2010 (Cont'd)

OLD BUSINESS: (A) Solicitor Fenicle has sent a draft ordinance to have all Township residents use the trash collector who is under contract with the Township. There is also a provision in the Ordinance that if there is legal action required to collect fees, the trash collector would be able to proceed with this action. Several residents had some concerns involving the trash collector and Manager Null will look into these concerns. (B) The discussion on snow emergency routes was tabled. (C) The Reserve Capacity Agreement with Penn Township was tabled and will be discussed at a later time.

NEW BUSINESS: (A) Brian Reisinger of HRG was present on behalf of Joseph A. Myers to request sewer capacity of 396 EDU's for Homestead Acres on Oakwood Drive. The plan for the 396 single family attached dwellings has not been filed as yet and they have capacity reserved for the 134 lots that are currently on file with the Township. They are now requesting the remaining EDU's up to a total of 396. In a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried, the Board denied this request for additional sewage capacity. (B) In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the hiring of Mr. Richard Meneses as the new EMT contingent upon passing the background checks and drug screening.

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: Homestead Acres, J. A. Myers, 134-lot Preliminary and Sheetz, Inc. Motion carried. The Dwight & Pamela Myers Plan was approved earlier on the Agenda.
- (B) In a motion by Supervisor Williams and seconded by Supervisor Gobrecht, 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; 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; Sheetz, Inc. 2-lot Final; Edward & Michelle Lane, 2-lot Final and Northfields, Phase 1, Partial Revision. Motion carried.

West Manheim Township Board of Supervisors Meeting
May 6, 2010 (Cont'd)

SUPERVISORS AND/OR PUBLIC COMMENTS: Chairman Hartlaub announced that this meeting is not the special meeting that the Board was going to hold to discuss the public sewer project for Areas 4, 5 & 6. Several members of the Board have met with DEP and they are reviewing the information they received to determine what actions the Township can take at this time. Several members of the audience expressed their concerns over the high sewer rates. Christopher Harper and Rick Stewart of Reservoir Heights asked why the rates were so high compared to the sewer rates down the road in Penn Township. Manager Null reported that he has met with Penn Township officials to discuss the rates and negotiations are on-going at this time. Kathy Asid of Marianne Drive and a few other residents wondered why they just received a sewer bill based on usage from 2-1-10 until 3-18-10 when their systems were not even hooked up. These concerns were given to Manager Null. He will check the billing cycles and respond back to the residents. Several residents came before the Board to inform them that they cannot pay the fees to hook up to the sewer. Amber Murphy and Lynn Brooks asked the Board what they can do if they can't afford to hook up at this time. There were many residents present to discuss the restoration work being done by Doli Construction and The York Water Company. Mike Knouse indicated that the contractors are working in several areas and if there are any claims of damage, these will be evaluated after some initial restoration has been completed. Len Bosse of Sugarboot Lane reported that he is having a drainage problem. Mike Knouse will review his concern and determine what can be done to divert the water. Many residents were angry that the Board decided at this time to reconsider the status of the sewer systems for Areas 4, 5 and 6 after they were made to hook up when their systems were operating fine. Matthew Gellazelo remarked that if the Board decides now to reconsider the next phases, then the previous areas that were made to connect should be compensated. Several residents who have received letters concerning Areas 4, 5 & 6 told the members of the Board that they do not want public sewer. John and Kathleen Perry of 101 Country Lane asked the members of the Board to think hard before they make any decisions that would cost the residents more money because the economy is bad right now. They would like to have the Board treat all residents fairly and try to ease the burden on the residents with these large bills. Chairman Hartlaub indicated that the Board will now review all comments and decide what alternatives the Township has at this time. Bryant Meckley of Lakeview Circle asked for verification of the dates they were given for hooking up to both the water and the sewer systems. This section of the sewer project is just now ready for hook-up, but the water is to be connected by June 1, 2010. After some discussion between the Board of Supervisors and J. T. Hand of The York Water Company, the Board and the Water Company agreed to extend the deadline for water hook-up until September 1, 2010 to allow the residents to complete both connections at the same time. This agreement to extend the deadline was approved in a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried.

West Manheim Township Board of Supervisors Meeting
May 6, 2010 (Cont'd)

Wayne Frock of Oakwood Drive has found a crack in the foundation of his house that was not there before the sewer line was installed. He also has no way now to drain the water out of his basement. His drain was closed off. He was told to fill out a damage claim report. Mike Hawkins of Pumping Station Road commended the Board for their hard work and feels they are doing a good job. He has public water and public sewer and he is happy with the systems. He asked if it would be beneficial for the Township to build their own treatment plant. Chairman Hartlaub reiterated that the Board is reviewing all their options at this time. Kathleen Perry offered some suggestions on how the Board may be able to help the residents with the high costs of connections and quarterly bills.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, May 18, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m. Supervisors Regular Meeting – Thursday, June 3, 2010 at 7:00 p.m. with Supervisors Caucus at 6:30 p.m.

ADJOURNMENT: The Meeting was adjourned at 9:45 p.m. in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

Respectfully submitted,

Nancy C. Smith
Secretary