

## WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, June 3, 2010

7:00 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 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 Solicitor Linus Fenicle.

RECOGNITION OF VISITORS: Visitor's Register Attached. Judy Maust, President of the Library Board, distributed a handout from the Hanover Public Library. The information contained the formula for determining fair share donations and a report on last month's usage by West Manheim Township residents. She thanked the Board of Supervisors for their continued support of the library. Doug Barmoy of Hanover Land Services and Jim Yiengst, Solicitor for Edward and Michele Lane, asked the Board for reconsideration of a waiver that was previously requested and denied. Chairman Hartlaub indicated that the Board would hear from them later on tonight's Agenda.

APPROVAL OF AGENDA: The Agenda was approved with the addition of 12B- Consideration of Changing the Start Time for the Supervisors Caucus from 6:30 to 6:00 p.m. in a motion by Supervisor Williams, seconded by Supervisor Gobecht, and carried.

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

CORREPENDENCE: (A) Letter received from Penn Township approving West Manheim Township's request for fire police to assist during Pleasant Hill Firemen's Carnival.

RECREATION BOARD REPORT: David Barber spoke on behalf of the Rec Board. He requested some approvals from the Board for several projects. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved the estimate from Ramsey Excavating in the amount of \$9,850.00 for the leveling of the dirt at the park entrance. A purchase order will need to be issued. In a motion by Supervisor Woerner, seconded by Supervisor Parr and carried, the Board granted permission for the purchase of a tetherball set in the amount of \$150.94 and two volleyball sets in the amount of \$1,079.96 for both sets. The pavilion is up and Keith Smith will lay the concrete floor as soon as the weather and his schedule permits. The Board also granted permission for the expenditure of less than \$500.00 at Staples and Lowes for some additional materials in a motion by Supervisor Woerner, seconded by

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Supervisor Gobrecht and carried. David Barber also reminded everyone of the Ice-Cream Crank-off and Car Show to be held at St. David's Lutheran Church on June 26, 2010. At this time Deb Marsh, representing the MaPaw Siberian Huskie Rescue presented a check in the amount of \$5,000.00 as a donation for the Dog Park. She also challenged the community to match her donation to help with the ongoing costs of the Dog 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 June 3, 2010. Written copies were distributed to Supervisors and Staff (copy in Township files). Construction Projects – 2010 Street Maintenance Program – The 2010 street improvement projects have been awarded to Kinsley Construction, Inc. and Stewart & Tate, Inc. In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board gave approval for Township signatures of the contracts. Bridge Inspection – Authorization for Township signature of Contract 1 and 3 has been provided. The approval for signature of Contract 2 was tabled at the last meeting. The Engineers have reviewed and distributed a memo to the members of the Board that answers several questions that the Board had about this project. In a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried, the Board approved the execution and signature of contract #2 for the Tracey Road Bridge replacement. Supervisors Williams, Gobrecht and Hartlaub voted for this motion and Supervisors Woerner and Parr voted against the replacement of this bridge. They both indicated this Liquid Fuels money could be better spent at this time and then re-evaluate this project for inclusion in next year's Township Budget. Area 2 and 3 Sanitary Sewers – Doli Construction is continuing with the restoration work, addressing punch list items and resolving damage claims. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board approved Application for Payment #17 for Doli Construction in the amount of \$26,125.00. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved Change Order No. 1 (Final) in the amount of \$291.44 and Application for Payment #5 (Final) for Electrovations, Inc. in the amount of \$2,568.19. In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board approved Requisition #21 in the amount of \$29,749.15.

**OLD BUSINESS:** The items listed under Old Business will continue to be on the Agenda until any action would be required on these subjects: 1) Snow Emergency Routes, 2) Penn Waste Draft Ordinance and 3) Act 537 Plan.

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At this time, Manager Kevin Null had several topics to discuss. He recommended applying for an H2O PA Grant which can be used for water and sewer projects. In a motion by Supervisor Parr, seconded by Supervisor Williams and a unanimous roll call vote, the Board adopted Resolution #2010-18 and gave authorization to Manager Null to move forward with the application for these grant monies. Manager Null reported that the Bond Counsel is now looking at the possible refinancing of the 2004 Bond Issue. If these Bonds would be refinanced at this time, the Township could save approximately \$90,000.00. This would be in addition to the approximate \$237,000.00 that could be saved by refinancing the building loans. In a motion by Supervisor Parr, seconded by Supervisor Woerner and carried, the Board gave authorization to Manager Null to continue working with Bond Counsel on the refinancing of these 2004 Bonds along with the building loans. Along with the Act 537 Plan Update, Manager Null recommended that the Township amend the Task Activity Report to reflect the implementation of the On-lot Disposal System Inspection and Certification Program. The Board authorized the engineers to draft an amendment to this report in a motion by Supervisor Parr, seconded by Supervisor Williams and carried. Manager Null has obtained some information from Adams County National Bank and Susquehanna Bank for some financial assistance that can be offered to residents who need to hook up to the public sewer system. This information will be available at the front desk of the Municipal Office.

NEW BUSINESS: (A) The ordinance for compensation for members of the Board of Supervisors has been advertised and is ready for adoption. This ordinance will change compensation for members of the Board. The members will receive compensation as provided in the Second Class Township Code but would not be eligible to enroll in the township - funded health insurance plan as part of their compensation. This would not apply to any current members of the Board who are now receiving this compensation but any future members of the Board would not be eligible. A motion was made by Supervisor Gobrecht to adopt the ordinance and it was seconded by Supervisor Williams. Discussion followed. Supervisor Woerner has done some research on this subject and he reported that West Manheim Township is not the only township that offers these benefits to their non-working supervisors. He feels that this compensation needs to be offered due to the amount of time the members of the Board spend on Township business. After some comments from the public and the remaining Board members regarding the hours worked and if the plan could be adjusted that full coverage would not be offered or maybe offered for a small expense to the supervisors, the Board held a roll call vote to adopt the ordinance. The ordinance was not adopted. Supervisors Hartlaub and Parr voted for adoption and Supervisors Woerner, Gobrecht

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and Williams voted against adoption. This policy will be evaluated and reviewed on a yearly basis and may be changed at another time. (B) In a motion by Supervisor Parr, seconded by Supervisor Williams and carried, the Board voted to change the starting time of the Supervisors Caucus, which is held prior to the regular Board meetings, from 6:30 p.m. to 6:00 p.m. This change of schedule will need to be advertised.

**SUBDIVISION PLANS:** Doug Barmoy of Hanover Land Services and Attorney Jim Yingst came before the Board to ask for reconsideration of a waiver request in connection with the Edward and Michelle Lane, 2-lot Final Plan along Hobart Road. At the last meeting, the Board voted to deny this waiver request. No one was present at that time to represent the Plan and now the representatives asked to explain the circumstances behind this request. They asked the Board to reconsider the requirement to widen and improve Hobart Road. They contend that one house and one driveway would cause no burden to Hobart Road at this time. Any future subdivision of this property would then require a review of road improvements. Solicitor Fenicle recommended that the Township require a deeded right-of-way from the property owner that meets the Township Ordinance. Mr. and Mrs. Lane will dedicate the required width and have agreed to work with the Township on any drainage issues. The steep bank may need to be cut back in order to get the water to drain off of Hobart Road. The Lanes will grade twelve feet from centerline on the north side of the property. In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board agreed to rescind the prior denial of the requested waiver and grant the amended waiver. The owners must meet all concerns of the engineers and should sign an agreement regarding the trimming of the trees.

Mike Knouse reminded the Board that a letter requesting an extension of the Northfields, Phase I, Partial Revision Plan has not been received, and some action on the Plan is necessary. In a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried, the Board agreed to deny the Plan based on specific provisions of the SALDO not being met and no responses received from the comment letters of the Engineers and the York County Planning Commission. A letter of denial must be sent within fifteen days.

(A) The following Subdivisions Plans were given review time extensions as per written requests, in a motion by Supervisor Gobrecht and seconded by Supervisor Woerner: Fox Run Village, 25-lot Final; Northfields, Phase II, 52-lot Preliminary; Benrus Stambaugh et al, Land Development Plan and Edward & Michelle Lane, 2-lot Final. Motion carried.

(B) In a motion by Supervisor Woerner and seconded by Supervisor Parr, the Board then tabled all the following plans: Joshua Hill Farm, 124 – lot

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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 and Edward & Michelle Lane, 2-lot Final. Motion carried.

SUPERVISORS AND/OR PUBLIC COMMENTS: Owen Walsh, 1047 Bear Crossing, enjoyed the Township Newsletter that he received in the mail. He found it very informative. He asked if any information has been received from The York Water Company concerning the removal of snow from the fire hydrants. He was told that this job is the Township's responsibility. Mr. Walsh also asked if the Township could abandon Tracey Rd and not fix the bridge. He doesn't believe that this money should be spent right now. Matthew Gelazela, 2512 Baltimore Pike, presented his views on the Act 537 Plan Update. He expressed his concerns with the Area 4, 5 and 6 public sewer projects. He would like to have some additional water and soil testing done in these areas. The original Act 537 Plan suggested better management of on-lot systems to control development and preserve the rural areas. Mr. Gelazela believes that any addition to the public sewer system will bring more development to the community. Carl Grubb, 590 Impounding Dam Rd., asked if the Township Solicitor would be present at this month's Zoning/Hearing Board Meeting. He believes that not all the criteria have been met for this application. Mr. Grubb just would like everyone in the Township to be treated fairly. Stan Werkheiser, 60 Sara Lane, asked if there are any current Township resolutions or ordinances that control the parking of trailers, campers or motorhomes on the streets in the Township. Manager Null will research this problem.

NEXT SCHEDULED MEETINGS: Supervisors Work Session - Tuesday, June 15, 2010 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Supervisors Regular Meeting – Thursday, July 1, 2010 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

ADJOURNMENT: The Meeting was adjourned at 9:05 p.m. in a motion by Supervisor Woerner, seconded by Supervisor Williams and carried.

Respectfully submitted,

Nancy C. Smith  
Secretary