

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS MEETING

Regular Meeting

Thursday, December 1, 2011 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, Williams, Parr and Gobrecht. Also present were Solicitor Linus Fenicle, Mike Knouse of C. S. Davidson, Inc. and Manager Kevin Null.

RECOGNITION OF VISITORS: Visitor's Register Attached.

Announcement of Executive Session held prior to Regular Meeting

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

APPROVAL OF MINUTES: The Minutes of the Work Session Meeting of November 21, 2011 were approved, as submitted, in a motion by Supervisor Gobrecht, seconded by Supervisor Williams and carried.

APPROVAL OF DISBURSEMENTS: The Disbursements for the Month of November, 2011, from all Funds, were approved as listed in a motion by Supervisor Williams, seconded by Supervisor Gobrecht and carried.

CORRESPONDENCE: None

RECREATION BOARD REPORT: None

SOLICITOR'S REPORT Solicitor Linus Fenicle indicated that the Board of Supervisors met in Executive Session to discuss the Joseph A. Myers Zoning Decision and whether to appeal the Zoning Hearing Boards finding in favor of the applicant to the court of York County Common Pleas and requested the Supervisors make a motion as to whether they wish to appeal the decision or not appeal the decision. Motion by Supervisor Williams not to appeal the decision, seconded Supervisor Gobrecht and motion carried.

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ENGINEER'S REPORT: Mike Knouse presented a written report of C. S. Davidson, Inc. dated December 1, 2011. Written copies were distributed to Supervisors and Staff (copy in Township files).

Mike Knouse, C.S. Davidson reviewed:

Item (3) – Construction Projects – (B) Community Park – Phase 2 & 3. Mike Knouse indicated that J.A. Myers has just about completed seeding the entire site and they are finishing the storm water pit at the lower part of the project. They have made good progress even with the bad weather. He said some items will be held over until next year.

J. A. Myers Contract Change Order #3 (time extension) until May 18, 2012.

In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved Change Order #3 time extension until May 18, 2012.

J. A. Myers Application for Payment #4 in the amount of \$13,436.80

In a motion by Supervisor Gobrecht, seconded by Supervisor Parr, and carried, the Board approved Application for Payment #4 in the amount of \$13,436.80.

2011 Sanitary Sewer Maintenance Bid

Bids were publically received for two contracts; Contract # 1 is for manhole lining and Contract # 2 is for the Sunset Drive extension of the sanitary sewer .

Contract # 1 had four bidders with the apparent low bidder being SWERP, Inc. at \$23,898.40, well below the projected project cost and recommend awarding contract to SWERP, Inc. In a motion by Supervisor Parr and seconded by Supervisor Williams and carried the Board approved awarding Contract #1 to SWERP, Inc.

Contract #2 had two bidders; the apparent low bidder was Fitz & Smith Inc, at \$24, 230.75, recommend award of contract to Fitz and Smith, Inc. In a motion by Supervisor Parr and seconded by Supervisor Gobrecht and carried the Board approved awarding Contract #2 to Fitz and Smith, Inc.

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REPORTS: The Chief of Police Report for October, 2011 was approved, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The Treasurer's Report for October, 2011 was approved, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The Code Enforcement Officer's Report for October, 2011, was accepted, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The Public Works Report for October, 2011 was accepted, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The SEO Report for October, 2011 was approved and accepted, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The Utilities Supervisor's Report for October, 2011 was accepted, as distributed, in a motion by Supervisor Parr, seconded by Supervisor Williams and carried.

The EMA Activity Report for October, 2011 was approved and accepted, as distributed, in a motion by Supervisor Parr and seconded by Supervisor Williams and carried.

MANAGER'S REPORT: Kevin Null, Township Manager reviewed the Manager's report as submitted to the Board. He said they have received several requests from residents asking if the Township can assist in addressing the downed trees from the past early snow storm' the Public Works crew worked 279 man hours, removed brush and limbs for 172 residents and hauled away 36 10 ton loads of chipped brush. Citizens are very appreciative.

2012 Budget has been published and is available at the Township Office, on the web page and our new Face Book Page. Budget will be voted on at Work Session on December 20, 2012.

Reorganization will be held on Tuesday, January 3, 2012 at 6:00 PM, since Monday, January 2, 2012 is a holiday. Regular Meeting to immediately follow the Reorganization Meeting.

Al DeGennario, Chairman of the Zoning Hearing Board, and a long time member is not seeking to be reappointed, thus we have an opening on the Zoning Hearing Board. Anyone who may be interested my submit a letter of interest to the Township Manager.

In a motion by Supervisor Parr, seconded by Supervisor Williams and carried the Managers Report for October, 2011 was accepted, as distributed.

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OLD BUSINESS: There was no Old Business to discuss.

NEW BUSINESS:

(A). SPCA of York County Contract

Kevin Null, Township Manager said this is a renewal of our annual contract with the SPCA for the animal care and housing agreement. The contract for 2012 is \$3,872.

In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board approved the contract with the York County SPCA in the amount of \$3,872.00.

(B) Adoption of Ordinance Earned Income Tax Collection

Solicitor Linus Fenicle said the Ordinance is due to the enactment of the Act of General Assembly and known as Act No. 32 so that municipalities consolidate their tax collection. There are no changes in the rate. The ordinance has been advertised.

In a motion by Supervisor Parr, seconded by Supervisor Williams and carried on a roll call vote, the Board approved the authorization to adopt the Earned Income Tax Collection Ordinance

(C) Request for Exoneration from the Township Per Capita Tax

Request from residents who are away at college for Exoneration from the Per Capita Tax. Residents are; Alex Berwager, Molly Berwager, Lisa Carvel, Brian Noel and David Sabo.

In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved the request for Exoneration from the Township Per Capita Tax.

(D) Lutheran Social Services-Request for Waivers from the Land Development Plan

Mr. Michael Stoner, Corporate Director of Planning and Construction, requested a waiver on three items; 1) Request for relief from the total landscape plan due to interference by utilities on the campus. The total count of landscaping planting far exceeds what had been shown on the plan and have recently planted 80 Norway spruce, thus seeking relief from the plan requirements.

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2) The second relief is for the culvert at Sunset Drive-the requirement to add a walk at the culvert at Sunset Drive. During construction the Township changed construction, to improve it, which it did, however the available land next to the culvert was virtually eliminated and there is no ground there to build or walk on. There have been no complaints from anyone regarding the walks and they seem very pleased with the walks that are there. Requesting relief from the requirement to install a walking path along Sunset Drive.

3) The third relief is for a missing fire hydrant. In reviewed the placement of hydrants with Mike Knouse it appears that there is an adequate and safe distance between hydrants and are requesting relief from the requirement to add an additional fire hydrant.

Supervisor Hartlaub stated that the Board was willing to grant approval for two waivers but not for the requirement to install walk paths along Sunset Drive.

The Board felt that a walk path could be constructed, and they had received some complaints from residents concerning the lack of a walking path.

Also, there are approximately sixteen outstanding items that need to be completed and no waivers will be issued until all outstanding items have been corrected.

In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved a waiver for additional trees on the campus contingent on all outstanding items on the inspection list are completed.

In a motion by Supervisor Williams, seconded by Supervisor Parr and carried, the Board denied a waiver for the construction of a walking path along Sunset Drive.

In a motion by Supervisor Gobrecht, seconded by Supervisor Parr and carried, the Board approved a waiver for additional fire hydrants on the campus contingent on all outstanding items on the inspection list are completed.

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SUBDIVISION PLANS:

(A). ALL TO BE TABLED:

Joshua Hill Farm, 124-lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58-lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79-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, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366-lot Preliminary, Reservoir Heights – Phase 2 – Section 2 – 28-Lot Final Subdivision Plan.

In a motion by Supervisor Parr and seconded by Supervisor Williams, the Board tabled all the following plans: Joshua Hill Farm, 124-lot Preliminary, The Warner Farm, 15-lot Preliminary, Orchard Estates-Gobrecht, 58-lot Preliminary, Preserve at Codorus Creek IV (Marlee Hill), 79-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, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366-lot Preliminary, Reservoir Heights – Phase 2 – Section 2 28-Lot Final Subdivision Plan. Motion carried.

SUPERVISORS AND/OR PUBLIC COMMENTS:

Chairman Hartlaub presents a plaque to Supervisor Williams in recognition of his twelve years of service on the Board of Supervisors.

Supervisor Hartlaub opened the floor for residents concerns and comments all listed spoke against the proposed tax increase:

Stan Werkheiser – 60 Sara Lane

Frank Kadyszewski – 265 Valley View Drive

Steve Harman -- 40 Marfield Circle

Carl Grubb – 950 Impounding Dam Road

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Jim Staaf – 2422 Black Rock Road

Rich Gough– 90 Northridge Drive

Ron Wine – 145 Fuhrman Mill Road

Glen Bixler – 65 Marfield Circle

NEXT SCHEDULED MEETINGS: Next Scheduled Meetings: Supervisors Work Session – Tuesday, December 20, 2011 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Supervisors Reorganization Meeting and Regular Meeting – Tuesday, January 3, 2012 at 6:00 p.m. with Supervisors Caucus at 5:00 p.m.

ADJOURNMENT: The Meeting was adjourned at 8:15 PM in a motion by Supervisor Williams, seconded by Supervisor Parr and carried.

Respectfully submitted,

Nancy Smith
Secretary