

# **WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS**

## **WORK SESSION**

**Tuesday, July 17, 2012 - 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, Staaf, Gobrecht and Parr. Also present were Solicitor Linus Fenicle, Mike Knouse from C. S. Davidson, Inc. and Manager Kevin Null.

VISITORS: Visitors register attached.

Supervisor Hartlaub asked if there were any visitors present that wished to address the Board.

The following visitors were present:

Bob Dean

John Gilmore

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

APPROVAL OF MINUTES: The Minutes of the Regular Meeting of July 5, 2012 were approved in a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried.

APPROVAL OF DISBURSEMENTS: The Disbursements from all Funds were approved, as listed, in a motion by Supervisor Parr, seconded by Supervisor Woerner and carried.

CORRESPONDENCE: There were no correspondences received.

### DISCUSSION ITEMS:

#### A. Introduction of Burn Ordinance for publication

Kevin Null, Township Manager reviewed each section of the draft burn ordinance as submitted for review by the Board.

Supervisor Gobrecht said he is concerned with the times stated in Section 6: Open Burning of Trees, Logs, Brush and Stump 6.1.3.

After further discussion the Board of Supervisors requested that the burn times be changed to reflect dawn to dusk, Monday through Saturday and at no other times.

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Supervisor Woerner requested that the purpose for the ordinance be stated in Section 1: Purpose. The ordinance is to safeguard the public health, safety and welfare of residents by regulating the air pollution and fire hazards. He said the township is required by state mandate to produce and adopt strict outdoor-burning regulations as part of a new mandatory recycling program that must be put into place next year.

Kevin Null, Township Manager reviewed the remaining sections of the draft ordinance. He said the requested changes to the draft ordinance will be reviewed again at the Board of Supervisors meeting in August.

**B. Request from Wal-Mart for Authorization to release the balance of escrow funds**

Mike Knouse, C.S. Davidson said with the Subdivision process there is currently a policy in place that indicated the developer is required to post and escrow account. This is the funds the township draws from for payment, primarily for inspection reviews performed by the engineer. He said in accordance with the Municipal Planning Code (MPC) at the end of the development it is required that the remaining balance of escrow funds be returned to the developer. He said according to the records he received Wal-Mart has a remaining balance of \$2,770.61. Any release of funds from the township is required to be authorized by the Board of Supervisors. He said they are seeking authorization to return the remaining escrow balance to Wal-Mart in the amount of \$2,770.61.

In a motion by Supervisor Parr, and seconded by Supervisor Staaf, the Board of Supervisors authorized the release of the balance of escrow funds for Wal-Mart in the amount of \$2,770.61. The motion carried.

**C. J.A Myers Building & Development, Inc. Township Park – Phase 3 – Application for Payment No. 6 - \$18,112.81**

Mike Knouse, C.S. Davidson reviewed the Application for Payment No. 6 – J.A Myers Building & Development, Inc. submitted in the amount of \$18,112.81. He would recommend approval.

In a motion by Supervisor Parr, seconded by Supervisor Staaf and carried, the Board authorized the payment of Application for Payment No. 6 in the amount of \$18,112.81 to J.A Myers Building & Development, Inc.

**NEXT SCHEDULED MEETINGS:** Supervisors Regular Meeting - Thursday, August 2, 2012 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Work Session Meeting - Tuesday, August 21, 2012 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

Supervisor Woerner said he would like to suggest that the Board of Supervisors Caucus meetings be moved from the current meeting room to the regular meeting room and starting at 6:00 p.m. He said that if the Supervisors would need to meet in Executive Session they can return to the caucus room to hold the closed door discussion. He said that holding the meeting in the caucus room it makes the public hesitant to join the meetings, which are advertised and open to the public.

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In a motion by Supervisor Woerner, and seconded by Supervisor Parr, the Board of Supervisors' caucus meetings will be moved to the regular meeting room starting with the next scheduled meeting, and will begin at 6:00 p.m. The motion carried.

Bob Dean, 2 Lisawood Court, said he still has questions about the fluoride issue and he also concerned with the flip flop. He said he went to several areas in the township and found an overwhelming amount of people that would like to have the fluoride removed from the water. He submitted copies of the 67 signatures on his petition of residents that want fluoride removed from the water. He also noted that he called York Water and was told that the township will be requested to repay about \$2000 to York Water for expenses because of the Board changing their minds. He said it is a matter of choice.

Stanley Werkheiser, 60 Sara Lane.

John Gilmore, 31 Starlite Drive, said he sent an email to the Supervisors concerning the road construction vehicles being stored in his residential court. He said storing the vehicles on his court turned it into a one way street for over a week. He said this makes the area dangerous. He would ask that the Supervisors look into this situation.

Mike Knouse, C.S. Davidson said they can look into the issue, but Starlite being a public street the contractor has the right.

Supervisor Woerner said with Mr. Dean's petition presented tonight which includes 67 signatures of the residents that are against fluoride being in the water and along with the petition that I submitted with 72 signatures previously presented to the Supervisors during the last meeting, he feels there is alot of residents that are against fluoride in the water. He said it would save the township over \$2000.00 to request that The York Water Company remove the fluoride.

In a motion by Supervisor Woerner, he said he would like to request that The York Water Company stop fluoridating the water and go with their original April decision, and reduce the fluoride level to zero. **The motion died for a lack of second.**

Renee Woerner, Shorbs Hill Road, said she is very disappointed.

ADJOURNMENT: The Work Session Meeting was adjourned at 8:35 p.m. in a motion by Supervisor Parr, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Laura Gately  
Secretary