

**WEST MANHEIM TOWNSHIP**  
**BOARD OF SUPERVISORS MEETING MINUTES**

Regular Meeting

Thursday, October 3, 2013  
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 at 7:05 p.m., followed by the Pledge to the Flag and Invocation.

Supervisor Hartlaub mentioned that an executive session was held prior to the start of the Regular Meeting to discuss personnel issues.

ROLL CALL: Present were Supervisors Hartlaub, Staaf, Woerner and Gobrecht. Supervisor Parr was absent. Also present were Solicitor Linus Fenicle, Mike Knouse from C. S. Davidson, Inc. and Manager Kevin Null.

VISITORS: Visitors register attached.

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

APPROVAL OF MINUTES: The Minutes of the Work Session of September 17, 2013 were approved as submitted, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

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

**CORRESPONDENCE:**

Supervisor Hartlaub noted the following correspondences were received:

- A. York County Association of Townships of the Second Class – Invitation to attend the 96th Annual York County Convention on Thursday, November 14, 2013

Kevin Null, Township Manager asked that the Board let him know by the worksession who plans on attending the York County Association of the Second Class 96th Annual Convention.

In a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried, the Board approved the attendance at the York County Association of the Second Class 96th Annual Convention.

- B. Letter from Hanover Borough Police Department requesting permission for assistance of Fire and Police with crew to assist with traffic control during the Annual Hanover Halloween Parade on Thursday, October 31, 2013. (Rain Date on Monday, November 4, 2013)

In a motion by Supervisor Gobrecht, seconded by Supervisor Woerner and carried, the Board approved the request from Hanover Borough Police Fire Department for assistance during the Halloween Parade.

**RECREATION BOARD REPORT:**

Christine Gienski, Chair, West Manheim Twp Park and Recreation Board reviewed the Rec. Board report as submitted to the Board. Copies of the monthly Park and Recreation Board report were distributed to Supervisors and Staff (copy in Township files).

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Chris Gienski, Chair, West Manheim Twp Park and Recreation Board said that Bill Ritter, President of the Kiwanis Club of Hanover on behalf of the Hanover Kiwanis Foundations was in attendance to present a check for \$1000 to the Recreation Board for the purpose of helping to fund the purchase of inclusive playground equipment for children of all abilities for the West Manheim Township Rec. Park.

The Board of Supervisors on behalf of the Park and Recreation Board thanked Mr. Ritter and the Kiwanis Club of Hanover for the donation.

Chris Gienski said the Park and Recreation Board would like to request permission to purchase 2 picnic tables and place one at each of the ball fields. They have already moved a handicapped table to the park and placed it near the handicapped parking. The tables will cost about \$1,000 apiece including shipping. The tables will be the same as the ones in the pavilion.

In a motion by Supervisors Woerner, seconded by Supervisors Staaf, and carried the Board approved the purchase of 2 picnic tables.

The Park and Recreation Board Report for August, 2013 was approved and accepted, as distributed, in a motion by Supervisor Staaf, seconded by Supervisor Woerner and carried.

SOLICITOR'S REPORT: Solicitor Linus Fenicle indicated that he had nothing to report.

ENGINEER'S REPORT: Mike Knouse presented a written report of C. S. Davidson, Inc. dated September 5, 2013. Written copies were distributed to Supervisors and Staff (copy in Township files).

**ACTION ITEMS:**

Mike Knouse, C.S. Davidson reviewed the following action items from staff report:

**ACTION ITEMS:**

**2013 Street Improvements:**

- A. ARLE - Shiloh Paving & Excavating, Inc.
- Application for Payment No.1 - \$84,104.23

In a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried, the Board authorized the Application for Payment No. 1 - in the amount of \$84,104.23 to Shiloh Paving & Excavating, Inc.

- B. Contract No. 3 - Stewart & Tate, Inc.
- Contract Change Order No.2 (Final) - Decrease \$21,848.55

In a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried, the Board authorized the payment of Contract No. 3- Change Order No. 2 (Final) - Decrease in the amount of \$21,848.55 to Stewart & Tate, Inc.

- Application for Payment No.3 - \$118,248.42

In a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried, the Board authorized payment of Contract No. 3 - Application for Payment No. 3 in the amount of \$118,248.42 to Stewart & Tate, Inc.

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- RFP for Oil & Chip - Stewart & Tate, Inc.
  - Invoice

Mike Knouse, C.S. Davidson said there is no action to take due to the invoice not being available.

REPORTS: The Chief of Police Report for August, 2013 was approved, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The Treasurer's Report for August, 2013 was approved, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The Code Enforcement Officer's Report for August, 2013 was accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The Public Works Report for August, 2013 was accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The Pleasant Hill Fire Company and Ambulance Reports for August 2013 were accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The SEO Report for August, 2013 was approved and accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The Utilities Supervisor's Report for August, 2013 was accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

The EMA Activity Report for August, 2013 was approved and accepted, as distributed, in a motion by Supervisor Woerner, seconded by Supervisor Staaf and carried.

MANAGER'S REPORT: Kevin Null, Township Manager reviewed the Manager's report as submitted to the Board.

- Accounting Services

Kevin Null, Township Manager said he would like to request authorization from the Board to enter into a new, three year agreement with Stambaugh – Ness, PC for auditing and consulting services. The current agreement expires at the end of the year.

Fee:	2013	\$9,500
	2014	\$9,750
	2015	\$10,250

In a motion by Supervisor Woerner, seconded by Supervisor Gobrecht, and carried the Board authorized the Township Manager to enter into a new, three year agreement with Stambaugh Ness, PC at the stated costs.

He said as a reminder Halloween Trick or Treat night will be held on Tuesday, October 29, 2013 from 6:00 pm to 8:00 pm.

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The Manager's Report for August, 2013 was approved and accepted, as distributed, in a motion by Supervisor Gobrecht, seconded by Supervisor Woerner and carried.

OLD BUSINESS: There was no Old Business to discuss.

NEW BUSINESS:

C. Ron & Sheila Carter – Maryland View Farms – Glenville Rd - Lot #4 – 2-Lot Add-On

Ron Carter, applicant/owner said the Planning Commission reviewed each of the waivers and made a favorable recommendation to the Board of Supervisors on the waiver requests. He is requesting approval of the following waivers:

1. Waiver Request – Article 3, Section 305 A & B to allow plan to be considered as a Final Plan

In a motion by Supervisor Gobrecht, and seconded by Supervisor Woerner, the Board of Supervisors approved the waiver request. ***The motion carried.***

2. Waiver Request – Article 4, Section 402 A.4.F.5 to allow the plan to be exempt from showing on-lot sanitary sewer, wells and other water supply facilities within one thousand (1000) feet of site.

In a motion by Supervisor Gobrecht, and seconded by Supervisor Woerner, the Board of Supervisors approved the waiver request. ***The motion carried.***

3. Form “B” Waiver – Request for Planning Waiver & Non-Building Declaration

In a motion by Supervisor Gobrecht, and seconded by Supervisor Woerner, the Board of Supervisors approved the waiver request, and that the following note is added to the subdivision plan: *A non-building declaration has been filed for lot 4B; future development of this lot will require planning module approval, nitrate study, and compliance with all other applicable regulations at the time of application for sewage planning.* ***The motion carried.***

D. Request for Sewer EDU's

1. James Horak & Donald Yorlets Partnership, 13-Lot Preliminary Subdivision Plan Subdivision Plans

In a motion by Supervisor Gobrecht, seconded by Supervisor Woerner and carried, the Board gave authorization to proceed with the preliminary discussion with Penn Township in order to obtain the EDU's.

2. Homestead Acres, 355 - lot Preliminary Plan

In a motion by Supervisor Gobrecht, seconded by Supervisor Staaf and carried, the Board gave authorization to proceed with the preliminary discussion with Penn Township in order to obtain the EDU's.

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**A. SUBDIVISION PLAN UPDATES:**

1. Joshua Hill Farm, 124 - lot Preliminary

Jim Piet, Woodhaven Building & Development was present to represent the plan on behalf of the developer. He updated the Board of Supervisors that they are continuing to work on the development plan and associated permits. They are also awaiting review and approval of the General Permit from DEP. The NPDES plan/permit will be updated to meet the current regulations. He also noted that they are consulting with parties on the review and approval process by the PA Public Utility Commission for the sewer treatment plant, and awaiting the final design from York Water. They have also discussed considering an alternative to the proposed sewer alignment in conjunction with the Township.

Stan Werkheiser, 60 Sara Lane asked about the sewer treatment plant and the fees the residents would be paying.

Jim Piet said that has yet to be determined. He said it would be private system.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Staaf. ***The motion carried.***

2. The Warner Farm, 15-lot Preliminary

Jim Piet, Woodhaven Building & Development, was present to represent the plan on behalf of the developer. He advised the Board of Supervisors that they are continuing to address the conditions of approval for the plan under Hanover Land Services, Inc. He reported that Plan engineering is complete; however, they are waiting on the Planning Module processing/approval as part of the proposed wastewater treatment plant, General Permit approval, NPDES completion, and final design of the pump station. He also said that the sewer for this project will be handled by the treatment plant to be constructed as part of the Joshua Hill Farm development.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Gobrecht. ***The motion carried.***

3. Orchard Estates-Gobrecht, 58 - lot Preliminary

Carl Gobrecht, property owner said he is still in the same position as previously reported regarding the sewer capacity which is the reason he is not moving forward with the plan. He said that his son will be receiving the homestead and ten acres and they are currently in the process of reworking revised plans and determining which ten acres should be given along with the buildings. He asked them not to push him to do something immediately because if he has to then he would have to move quickly and involve a developer. He said it is also difficult to develop without the sewer capacity.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Staaf. ***The motion carried.***

4. Preserve at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary

Jim Piet, Woodhaven Building & Development, was present to represent the plan on behalf of the developer. He noted that they continue to pursue the NPDES plan approval, determine the HOP requirements and final clearance from the PHMC. The sewer for this project will be handled by the treatment plant to be constructed as a

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part of the Joshua Hill Farm development. They are consulting with parties on the review and approval process by the PA Public Utility Commission for the treatment plant and considering alternative sewer alignments.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Gobrecht. ***The motion carried.***

**5. Homestead Acres, J.A. Myers, 134 - lot Preliminary**

Jeff Stough was present to represent the plan on behalf of J. A. Myers Building & Development, Inc. and Herbert, Rowland & Grubic, Inc. (HRG). He reported that revised plans were submitted to the Township. He said with the sewer capacity EDU's requested for the 355 lot development, and once it is granted, they will withdraw the 134 lot plan. They submitted a letter to the Township requesting sewer EDU's. They have decided an alternate plan for the sewer since they could not work out an agreement with the adjoining developers. He said the Township Engineer will be reviewing the upgrades to the pump station located on Pumping Station Road.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Staaf. ***The motion carried.***

**6. Benrus Stambaugh et al, Land Development Plan**

Harry McKean was present on behalf of the Benrus Stambaugh et al, Land Development Plan. He said they have had some inquiries and had a few contracts written on the property, but they were not acceptable. They want to hold onto the property to try and get the highest and best use for the property for the Township due to the property being prime commercial land. They see no reason to withdraw the plan with the amount of work that has been invested. It was at no fault of the owner that the plan was not able to move forward prior to the sewer moratorium. He said they owned the sewer capacity but were unable to use it due to the issues with the Penn Township sewer moratorium.

Supervisor Gobrecht made a motion to grant a ninety (90) day extension, seconded by Supervisor Woerner. ***The motion carried.***

**7. Homestead Acres, 366 - lot Preliminary**

Jeff Stough was present to represent the plan on behalf of J. A. Myers Building & Development, Inc. and Herbert, Rowland & Grubic, Inc. (HRG). He reported that revised plans were submitted to the Township. He said with the sewer capacity EDU's requested for the 355 lot development, and once it is granted, they will withdraw the 134 lot plan. They submitted a letter to the Township requesting sewer EDU's. They have decided an alternate plan for the sewer since they could not work out an agreement with the adjoining developers. He said the Township Engineer will be reviewing the upgrades to the pump station located on Pumping Station Road.

Supervisor Woerner made a motion to grant a ninety (90) day extension, seconded by Supervisor Staaf. ***The motion carried.***

**8. James Horak & Donald Yorlets Partnership, 7 - Lot Preliminary Subdivision Plan**

Jack Powell, Engineer, Jack N. Powell, PE, Inc. was present on behalf of the owner. He said they have submitted revised plans to the Township for thirteen (13) lots which does involve a tie-in to the High Pointe subdivision that is no longer a cul-de-sac but a through road. He noted that the plans are currently being reviewed by the Township Engineer.

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Supervisor Gobrecht made a motion to grant a ninety (90) day extension, seconded by Supervisor Woerner. *The motion carried.*

**B. EXTENSIONS:**

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, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary, James Horak & Donald Yorlets Partnership, 7 - Lot Preliminary Subdivision Plan

In a motion by Supervisor Woerner and seconded by Supervisor Gobrecht, and carried, the Board granted the 90 day extension requests for 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, Homestead Acres, J.A. Myers, 134 - lot Preliminary, Benrus Stambaugh et al, Land Development Plan, Homestead Acres, 366 - lot Preliminary, James Horak & Donald Yorlets Partnership, 7 - Lot Preliminary Subdivision Plan

**C. 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, James Horak & Donald Yorlets Partnership, 7 - Lot Preliminary Subdivision Plan

In a motion by Supervisor Woerner and seconded by Supervisor Gobrecht, and carried, 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, James Horak & Donald Yorlets Partnership, 7 - Lot Preliminary Subdivision Plan

**SUPERVISORS AND/OR PUBLIC COMMENTS:**

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

Stanley Werkheiser, 60 Sara Lane said he read a recent news article from Easton, Pennsylvania where he grew up about the deaths of three people, including a 4-year-old child from an apartment fire, due to the lack of smoke detectors in a rental home. The Colonial Hills area is a very dense neighborhood where many homes and families would suffer if one neglected house were to catch fire. He would like to make a suggestion to the Board of Supervisors that the township enact some type of safety inspections for rental properties.

Solicitor Linus Fenicle said many municipalities across the state have required rental inspections which have been declared by the courts to be constitutional and upheld in courts of law. There can be legal issues with making the inspections and administrative search warrants may need to be obtained.

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Supervisor Carl Gobrecht said he would be concerned about what type of responsibilities the township would be undertaking if such an ordinance were enacted.

Supervisor Hartlaub said the Board of Supervisors would look into the possibility of developing some type of rental property inspections.

NEXT SCHEDULED MEETINGS: Supervisors Work Session – Tuesday, October 15, 2013 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Supervisors Regular Meeting - Thursday, November 7, 2013 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

ADJOURNMENT: The Regular Meeting was adjourned at 8:05 p.m. in a motion by Supervisor Woerner, seconded by Supervisor Gobrecht and carried.

Respectfully submitted,

Laura Gately  
Secretary