

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS

WORK SESSION

Thursday, December 3, 2020 - 7:00 p.m.

Chairman Ault called the Work Session to Order at 7 p.m., followed by the Pledge to the Flag and Invocation. The meeting was conducted through the GoToMeeting video conferencing software due to the Governor's stay at home order for the COVID-19 Pandemic.

ROLL CALL: Present were Supervisors Ault, Hartlaub, Krysiak, Rynearson, Staaf, Township Interim Manager Michael Bowersox, Township Engineer Chris Toms, Solicitor Walter Tilley, III, Roadmaster Tom Hartlaub and Township Secretary, Miriam Clapper. A quorum was present

ANNOUNCEMENT: Chairman Ault informed those present that there was an executive session took place before the meeting to discuss personnel issues.

PUBLIC COMMENTS: Chairman Ault asked if those attending the meeting through GoToMeeting had any comments and was told no by Interim Manager Michael Bowersox.

APPROVAL OF MINUTES: Supervisor Rynearson made a motion to approve the Minutes of the Regular Board Meeting of Tuesday, November 17, 2020, seconded by Supervisor Krysiak. **Motion carried.**

CORRESPONDENCE:

Chairman Ault noted the Board received no correspondence.

APPROVAL OF DISBURSEMENTS:

The Disbursements from all Funds were approved, as listed, in a motion by Supervisor Ault, seconded by Supervisor Staaf. **Motion carried.**

ACTION/DISCUSSION ITEMS:

ACTION ITEMS:

A. Motion to approve the 2013 Amended Emergency Medical Services Agreement with the Pleasant Hill Fire Department

Supervisor Staaf made a motion to approve the 2013 Amended Emergency Medical Services Agreement with the Pleasant Hill Fire Department, seconded by Supervisor Rynearson. **Motion carried.**

B. Motion to ratify the Labor Contract and Addendum with AFSCME

Supervisor Ault made a motion to ratify the Labor Contract and Addendum with AFSCME as written, seconded by Supervisor Krysiak. **Motion carried.**

At this time in the meeting Chairman Ault added item C. He explained that one of the pavilions at the Rec Park needs repair to prevent future wood rot. After receiving three bids, Brian R. Brenneman was the contract with the lowest bid to do the work. Supervisor Rynearson explained that out of the three companies that gave a bid to do the necessary work, only Brenneman's indicated that they could get the work done over the winter months.

Supervisor Ault made a motion to approve the service proposal from Brenneman Painting and Paving in the amount of \$3,650 for work to be done at the rec park, seconded by Supervisor Staaf. **Motion carried.**

DISCUSSION ITEMS:

A. Discussion regarding increasing the compensation for members of the Board of Supervisors

Chairman Ault informed the Board members that Supervisor Rynearson contacted PSATS concerning a rate increase for newly elected board members in 2021 of 4 percent. Supervisor Rynearson informed the Board members that according to the Second-Class Township Code if the resident population is 5,000 to 9,999, the dollar amount is between \$1,875 and \$2,500. Supervisor Rynearson informed them that it needs to be by Ordinance. Chairman Ault informed those present on-line that the pay increase of 4 percent or \$75 more a year would be \$1,950.

Chairman Ault then directed Interim Manager Michael Bowersox to prepare the Ordinance to increase the Supervisors pay by 4 percent.

B. Set time for the Re-Organizational Meeting on January 4, 2021

Chairman Ault made a motion to set the time for the Re-Organizational Meeting on January 4, 2021 at for the Caucus at 6 p.m. and the re-organizational meeting at 7 p.m., seconded by Supervisor Krysiak. **Motion carried.**

C. Act 537 Plan

Township Engineer Chris Toms reminded the Board members that there are two issues that are addressed in the Act 537 Special Study. The first is the transfer of sewer assets, which is an after the fact requirement that DEP placed on the township. Chris explained that when the York Water Company applied to begin the process of transferring the permits that are associated with the township's pump stations DEP put the Special Study requirement on it. The second item is the western area of Area 6 (from the YMCA and south of that). In 2013 and prior to that, when the testing was done, DEP approved the 2013 Act 537 Plan with the requirement that in five years the township would re-evaluate that area again. He went on to explain that C.S. Davidson did a representative sampling of about 25 percent of the homes in Area 6 and they found that there are still water quality issues. He reminded the Board members that the 2013 Act 537 Plan also said that the township still had to do a complete evaluation of all Area 6, Area 5 (Shorbs Hill) and Area 4 (Pleasant Hill) in 10 years, which would be in 2023. Chris Toms then reminded the Board that past discussion and based on what C.S. Davidson understood were the township wishes, while C.S. Davidson evaluated a number of options,

water lines extensions, pressure sewer, gravity sewer and a simply do nothing alternative, C.S. Davidson selected the do nothing alternative. The first reason for that selection was due to previous comments and second the cost per resident for the gravity/pressure sewer extensions were so significant that it would make more financial sense, not necessarily for the township, but for the potential customers to evaluate all of Area 6 to see what would be needed in that entire area. If a project is needed, more connections would mean less cost for the residents.

Township Engineer Chris Toms also asked the Board to consider a section of Sunset Estates that is known as Phase 3, that was subdivided decades ago. He informed the Board that the township has received a sketch plan for that area and with the size of the lots they are proposing the current township requirements wouldn't permit on site sewer. He explained that those lots must connect to public sewer. He told the Board that the Developer had proposed a pump station for this area of the development, but the Township Engineer feels that it would make more sense to evaluate all of Area 6.

Township Engineer Chris Toms informed the Board members that the York County Planning Commission voted not to approve the Act 537 Plan as submitted, which the Board was given a copy of YCPC report. Chris Toms explained that the YCPC concerns related to the water quality being addressed. He explained that YCPC does not feel it is appropriate to wait until 2023 to address the situation, YCPC felt it should be addressed at this time. Chris Toms explained that he did participate in the meeting and did agree with YCPC that there are water quality concerns but that the cost per connection was so high and burdensome to the residents that C.S. Davidson felt it was better, as previously stated, to evaluate all of Area 6.

The Township Engineer Chris Toms then informed the Board that the Planning Commission was asked to submit any questions that they had ahead of time so those questions could be addressed ahead of their meeting, which the Board was given a copy. He informed the Board that the Planning Commission members in the minutes of their meeting (copy given to Board members) voiced similar concerns on the water quality issues and they expressed some concerns about the assets transfer.

The Township Engineer Chris Toms then offered the following to the Board on how they can continue advancing the Act 537. He then suggested that the Board continue with the plan and continue with the process of submitting the Plan to DEP. He suggested that instead of waiting until 2023, commit to that full evaluation of Area 6 at this time so there are no more delays in addressing how the township will address the water quality issues and the financial impact it will have on those residents that live in Area 6.

Supervisor Ault questioned that in 2023 that areas 4, 5 and 6 will need to be re-evaluated. Township Engineer Chris Toms agreed with Supervisor Ault and told him that DEP has a 10-year requirement, but if the township chooses to do it earlier that is the township's choice. The Township Engineer Chris Toms told Supervisor Ault that he isn't suggesting that the Board do areas 4 and 5 at this time, but to address the comments the Act 537 Plan needs to be changed. Chris Toms informed the Board members that sewer will be needed in this area and how it can be done is the most cost-effective way are the issues that need to be addressed. Supervisor Ault asked what other alternatives are there and the Township Engineer stated that he believed the Board didn't have any. He informed the Board members that the Act 537 Plan does have the Township installing water lines and does address the drinking water

issue, but he has seen DEP make the comment that water lines do not address the environmental problem of the contaminants in the ground water. The Township Engineer pointed out that there are drinking water reservoirs in Area 6. Supervisor Staaf asked if C.S. Davidson knows if there is contamination going into the reservoirs. Township Engineer Chris Toms said that C.S. Davidson doesn't know that; they only know the results from those properties that were tested.

Supervisor Hartlaub asked if they could put water lines in that area and who would bear the cost to have sewer lines installed in Area 6. Supervisor Ault stated the taxpayer would bear the cost. Township Engineer Chris Toms told the Board members that he did talk to York Water about raising the capital to fund the sewer project and they could do that, but the cost per EDU would be still be very similar. He explained that the resident would still need to pay the connection fee and he wanted to be clear that the estimate that C.S. Davidson had for the gravity sewer alternative just when looking at the western part of Area 6 was \$30,000 per EDU. He said that you compare that to the current tapping fee rate, which is what they like to use to defray those cost is \$4,200. He explained that a portion of the tapping fee helps pay the capacity fee to Penn Township, only \$2,500 addresses the collection system. Township Engineer Chris Toms explained that is why he feels it is a better option to evaluate the entire Area 6 area.

After the Board members, Township Engineer, Interim Manager and Township Solicitor discussed the various options of addressing water quality concerns in Area 6, the Board directed Township Engineer Chris Toms to split the Special Study for the assets transfer to the York Water Company from the Act 537 Plan. Township Engineer Chris Toms then asked the Board if they wanted him to reach out to the York Water Company about supplying public water in Area 6 and that him and the Interim Manager to would talk/meet with DEP to discuss to see if they would approve just installing water line to correct the water quality issue in Area 6.

Township Engineer Chris Toms wanted to be sure that at the next Board of Supervisors meeting that they would only be discussing the Act 537 Plan as it relates to the sewer sale and that they would be gathering information to deal with Area 6 of the Act 537 Plan at a later date.

At this point in the meeting Roadmaster Tom Hartlaub presented pictures of the roller the Board had purchased off Municibid.

Township Secretary presented a Declaration of Disaster Emergency to the Board for their approval and signatures from Jason Baldwin, EMA Director.

Supervisor Ault made a motion to extend the Declaration of Disaster Emergency for Ninety days due to Governor Wolf's orders, seconded by Supervisor Rynearson. **Motion carried.**

SUPERVISORS AND/OR PUBLIC COMMENTS:

Supervisor Staaf asked about the impact that Governor's Wolf's order has on the Township residents. Supervisor Ault indicated that the Chief of Police would be the one to know how this new order from the Governor's office impacts the residents of West Manheim Township.

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NEXT SCHEDULED MEETINGS: Board of Supervisors Regular Board Meeting – Tuesday, December 15, 2020 at 7 p.m. with Supervisor Caucus at 6 p.m. Board of Supervisors Re-Organizational Meeting – Monday, January 4, 2021.

ADJOURNMENT: Supervisor Ault made a motion to adjourn the meeting at 7:40 p.m., seconded by Supervisor Staaf. **Motion carried.**

Respectfully submitted,

Miriam Clapper, Secretary

Chairman