

WEST MANHEIM TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES

Regular Meeting

Tuesday, December 15, 2020
7 p.m.

Chairman Ault called the Regular Meeting of the West Manheim Township Board of Supervisors to Order at 7:05 p.m. on Tuesday, December 15, 2020, followed by the Pledge to the Flag and Invocation. The meeting took place at the Municipal Building at 2412 Baltimore Pike, Hanover, PA, 17331 and through the GoToMeeting video conferencing software due to the Governor's restrictions for the COVID-19 pandemic.

ROLL CALL: Present were Supervisors Ault, Hartlaub, Krysiak, Rynearson and Staaf (via GoToMeeting). Also, present were the Interim Manager Michael Bowersox, Township Engineer Chris Toms from C. S. Davidson, Inc, Township Solicitor Walter Tilley, III and Township Secretary Miriam Clapper. A quorum was present.

PUBLIC COMMENTS: Chairman Ault asked if anyone present wanted to speak at this time and received no reply.

APPROVAL OF MINUTES: Supervisor Rynearson made a motion to approve the Minutes of the Board of Supervisors Work Session Meeting on Thursday, December 3, 2020, seconded by Supervisor Krysiak. **Motion carried.**

ANNOUNCEMENT: Chairman Ault informed those present that the Board of Supervisors held an executive session before the meeting to discuss personnel matters.

DISBURSEMENTS: The disbursements from all funds were approved, as listed, in a motion by Supervisor Hartlaub, seconded by Supervisor Krysiak. **Motion carried.**

CORRESPONDENCE: Chairman Ault noted the Board received no correspondence.

RECREATION BOARD REPORT: None currently.

SOLICITOR'S REPORT: Solicitor Walter Tilley had nothing new to add to his submitted report (copy on file).

Supervisor Ault made a motion to accept the Solicitor's Report, seconded by Supervisor Rynearson **Motion carried.**

ENGINEER'S REPORT: Township Engineer Christopher Toms, C. S. Davidson, asked that the Board act on the motion to approve Application for Payment No. 2 (final) Swam Electric for the generator. He reminded the board that C.S. Davidson had recommended keeping 5 percent until the contractor supplied a replacement breaker and all final documents had been provided. He informed the Board that the outstanding items are complete and final payment for \$2,956.35 can be paid.

A. Motion to approve Application for Payment No. 2 (final) Swam Electric a Division of B.J. Baldwin Electric, Inc.

Supervisor Ault made a motion to release the final payment to Swam Electric for \$2,956.35 (Two Thousand, Nine Hundred Fifty-Six Dollars and Thirty-Five Cents), seconded by Supervisor Rynearson. **Motion carried.**

REPORTS:

- A. Monthly Budget Review – Treasurer’s Report – November 2020
- B. Chief of Police, Monthly Activity Report – November 2020
- C. Public Work’s Report – November 2020
- D. Pleasant Hill Volunteer Fire Co.-EMS Reports – November 2020
- E. EMA Report – November 2020
- F. Code Enforcement Officer Report – November 2020

Supervisor Ault made a motion to accept the Reports A through E as given, seconded by Supervisor Krysiak. **Motion carried.**

MANAGER REPORT: Interim Manager Mike Bowersox went over his submitted report (copy on file).

Supervisor Ault made a motion to approve the Manager’s Report as given, seconded by Supervisor Krysiak. **Motion carried.**

Supervisor Rynearson asked Interim Manager Michael Bowersox if he wanted to say anything to the Board concerning the variance request that will go before the Zoning Hearing Board concerning setback issues. The Interim Manager explained that the building lots in the proposed Prinland Heights Subdivision are small lots and the developer is requesting a variance to the 40-foot front setback requirement. He explained that the backyards would be very small at the current setback requirements so the developer would like to encroach 15 feet into the front setback to allow for a larger backyard.

After a brief discussion on the setbacks, it was decided that the Interim Manager Michael Bowersox would let the Zoning Hearing Board members know that the Board of Supervisors were not in favor of granting the variance request.

Supervisor Ault made a motion to have the Interim Manager attend the Zoning Hearing Board meeting to represent the Board of Supervisors in their opposition to the variance request submitted by Michael Prin/Nick Liparini/Dan Ryan Builders Mid-Atlantic, LLC, seconded Supervisor Krysiak. **Motion carried.**

Supervisor Rynearson wanted to say “thank you” from the Rec Board for the job the Interim Manager Michael Bowersox and the Road Crew did in getting water service installed at the recreation park.

OLD BUSINESS: None

NEW BUSINESS:

A. Motion to approve Resolution #2020 - 09 Sewage Planning Module – Whitetail Ridge Phase 2

Supervisor Krysiak made a motion to approve Resolution #2020 - 09 Sewage Planning Module – Whitetail Ridge Phase 2, seconded by Supervisor Staaf. **Motion carried.**

B. Motion to approve PSATS Membership for 2021 for \$2,158.00 and Jason Baldwin EMA Director TEMA Membership for \$125.00

Supervisor Rynearson made a motion to approve PSATS Membership for 2021 for \$2,158.00 and Jason Baldwin EMA Director TEMA Membership for \$125.00, seconded by Supervisor Staaf. **Motion carried.**

C. Motion to adopt Resolution #2020 - 10 to Adopt the West Manheim Township 2021 Budget.

Supervisor Ault made a motion to adopt Resolution #2020 - 10 to Adopt the West Manheim Township 2021 Budget, seconded by Supervisor Krysiak. **Motion carried.**

At this time, Chairman Ault informed those present through GoToMeeting that the Board was adding item D. Resolution #2020 - 11 a resolution of The Board of Supervisors of West Manheim Township, York County, Pennsylvania fixing the real estate tax rates and assessments, the per capita tax, and the earned income tax levy for fiscal year 2021.

Supervisor Rynearson made a motion to adopt Resolution #2020-11, seconded by Supervisor Staaf. **Motion carried.**

Interim Manager Michael Bowersox pointed out in the Resolution there would be no tax increases for 2021.

SUBDIVISION PLANS:

A. Update on Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Preserves at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary

Township Engineer Chris Toms informed the Board members that these plans have been around for some time, all are preliminary plans and have received conditional approval from the Planning Commission. He then referred to the letter that the Board had received in their packet, where there is a statement about a delay associated with the York Water Company buying the Township's sewer system. The Township's Engineer said that he understood what Woodhaven was getting at but feels the Developer could build the treatment plant that is proposed for these three subdivisions. He believes these three preliminary plans are ready for approval.

The Township Engineer then listed some of the outstanding items for each:

Joshua Hill and Marlee Hill: Both received conditional approval by the Planning Commission and outside agency approvals are still necessary. One is the NPDES permit, which covers earth disturbance. He explained that the requirements have changed since they submitted their application, so the Developer will need to refile for those permits. He explained that the Board give each preliminary plan approval on the condition that no construction take place until final plan approval. He explained to the Board that they could not move any ground until final plan approval. He again explained that they could give approval on each preliminary plan on the condition that no construction could occur until final plan approval and the Board would not approve the final plan until the NPDES permit is approved.

The Warner Farm: The sewer planning module still needs approval, which would need to be part of conditional preliminary plan approval.

He explained that once the preliminary plans are conditionally approved, a timeline starts where final plans would need to be submitted in five years. He told the Board that by giving conditional approval of these plans, there would be no need to approve extension request for these preliminary plans. He explained by giving the plans conditional approval, no construction could occur until final plan approval and that the developer would provide a phasing plan that the developer and the Board of Supervisors would agree to.

Jim Piet, representing Woodhaven, attended the board meeting online, was present to give an update on the developments and to answer any questions or concerns the Board might have on the letter he provided giving an update on the three developments and asking for extension requests for the developments. He agreed with what the Township's Engineer had presented. He explained that they would prefer to work with the York Water Company and have a letter of agreement from them. He told the Board members that the developer would like to move the plans forward and when the time comes to build the sewer plant, if York Water would not be interested, then the developer would build the plant. Mr. Piet wanted to know if no construction could occur as a condition of the preliminary plan approval for Joshua Hill and Marlee Hill, is there a way to exempt the pump station and the wastewater treatment plant.

Township Engineer Chris Toms suggested that the condition could be on receipt of the NPDES approval making the conditions on getting all outside agencies approvals, which would be NPDES approvals for all three developments and the planning module for the Warner Farm subdivision.

The Supervisors, Township Engineer Chris Toms and representative Jim Piet then discussed the pump station, sewer plant and when and who would be building the sewer plant. After all questions and concerns were addressed Supervisor Ault felt that more information is needed before acting on the extension request.

Supervisor Ault then made a motion to table Joshua Hill Farm, 124 - lot Preliminary, The Warner Farm, 15-lot Preliminary, Preserves at Codorus Creek IV (Marlee Hill), 79 - lot Preliminary, seconded by Supervisor Rynearson. **Motion carried.**

B. EXTENSION REQUEST:

1. Motion to grant the Extension Request for Belmont Ridge Phase V – 203 Lot – Preliminary Plan (review time expires 12/16/2020) through March 16, 2021

Township Engineer Chris Toms explained to the Board members that the developer for this subdivision has revised this plan by adding 30 lots to the subdivision. He explained that there is also a zoning issue of open space that needs to be addressed with the zoning officer. He also wanted to make the Board aware of the impact the added lots have on the capacity that the township has at the Penn Township treatment plant. He explained that currently there are four subdivisions before the Board and out of those four sewer agreements were drafted and signed by the developer for Lexington 2A, Belmont Ridge 3 and 4, Prinland Heights. He pointed out that Belmont Ridge Phase V still needs to be executed and signed. Township Engineer Chris Toms informed the Board that he could not recommend the Board executing the Sewer Agreement for Belmont Ridge Phase V, because with the addition of the 30 lots it puts the Board too close to a point that he is not able to make any recommendations.

Township Engineer Chris Toms then informed the Board members that he would be submitting a Chapter 94 for 2020. In preparing the Chapter 94 Report, C.S. Davidson would be reviewing the averages for the past 5 years and see what capacity may be available.

Supervisor Rynearson asked if the only thing before them was the extension request, and Township Engineer Chris Toms said it was but wanted to make the Board aware of the additional lots and the effect it had on capacity at this point.

Supervisor Ault asked if the plan had been approved and do they have the sewer reservations for this subdivision and Township Engineer Chris Toms stated that the plan has not been approved and they do not have the sewer reservation for this plan.

Supervisor Rynearson made a motion to grant the extension request for Belmont Ridge Phase V – 203 Lot – Preliminary Plan through March 16, 2021, seconded by Supervisor Krysiak. **Motion carried.**

ALL TO BE TABLED:

Moffitt & Little Minor Plan (2 Lot) (review time expires 01/08/2021)
Joshua Hill Farm, 124 - Lot Preliminary (review time expires 01/21/2021)
The Warner Farm, 15-Lot Preliminary (review time expires 01/21/2021)
Preserves at Codorus Creek IV (Marlee Hill) 79 - Lot Preliminary (review expires 01/21/2021)
Tollgate Road 5 Lot Final Subdivision Plan (review time expires 03/11/2021)

Supervisor Ault made a motion to table to the date that is indicated: Moffitt & Little Minor Plan (2 Lot) (review time expires 01/08/2021); Belmont Ridge Phase V – 203 Lot – Preliminary Plan (review time expires 12/16/2020; Joshua Hill Farm, 124 - lot Preliminary (review time expires 01/21/2021); The Warner Farm, 15-lot Preliminary (review time expires 01/21/2021); Preserves at Codorus Creek IV (Marlee Hill) 79 - lot Preliminary (review expires 01/21/2021); Tollgate Road 5 Lot Final Subdivision Plan (review time expires 03/11/2021), seconded by Supervisor Rynearson. **Motion carried.**

SUPERVISORS AND/OR PUBLIC COMMENTS:

Supervisor Staaf thanked the Pleasant Hill Fire Company for allowing Santa Claus to ride on their fire engine so he could wish the children of West Manheim Township a Merry Christmas.

Interim Manager Michael Bowersox presented two applications from the Pleasant Hill Volunteer Fire Company for fire police to the Board members. He explained to the Board members the applicants would be working for the Township and in some cases, they could work for the Police Department. He then presented Shari Kruger and Kristen Sentz for approval.

Supervisor Staaf then made a motion to appoint Shari Kruger and Kristen Sentz as fire police for the Pleasant Hill Volunteer Fire Department, seconded by Supervisor Rynearson. **Motion carried.**

Township Engineer Chris Toms informed the Board members that he had two requests. He then pointed to his submitted report (copy on file) under Bridges & Roads Projects the recommended 2021 road projects and bridge improvements. He recommends bidding them out early if the Board would choose to do these projects.

The next item was the Act 537 Plans. He told the Board members that he gave them a draft of a revised Special Study Act 537 Plan that only addresses the sale of the sewer assets. He explained that he removed anything that had to do with Area 6 but will continue to work on it to bring to a future work session to act on. Township Engineer Chris Toms recommend to the Board that they move forward with the revised Special Study Act 537 Plan by sending it to DEP. He informed the Board that they will need to pass a resolution at the next meeting.

Supervisor Rynearson asked to have a brief executive session to give an update on negotiations with the EMT.

Chairman Ault announced that the Board would be going into an executive session to discuss personnel issues after the meeting is adjourned.

Supervisor Hartlaub asked how the new fire truck is coming along. Supervisors Rynearson informed him and the Board that it was on the assembly line.

NEXT SCHEDULED MEETINGS: Supervisors - Re-Organizational Meeting for January 4, 2021 at 7:00 p.m. The Supervisors Work Session Meeting will start immediately following the Re-Organizational Meeting, with Supervisors Caucus at 6 p.m. Supervisor Regular Meeting – Tuesday, January 19, 2021 at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

ADJOURNMENT: Chairman Ault made a motion to adjourn the meeting at 7:50 p.m. to go into an executive session to discuss personnel issues, seconded by Supervisor Krysiak. **Motion carried.**

Respectfully,

Miriam Clapper, Secretary

Chairman