

WEST MANHEIM TOWNSHIP
BOARD OF SUPERVISORS MEETING MINUTES

Regular Meeting

Tuesday, July 19, 2022
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, July 19, 2022, 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.

ROLL CALL: Present were Supervisors Ault, Hartlaub, Franks, and Rynearson. Also, present were the Township Manager Michael Bowersox, Township Engineer Cory McCoy from C. S. Davidson, Inc., Solicitor Peter Ruth of Stock and Leader sitting in for Township Solicitor David Jones, and Township Secretary Miriam Clapper. Township Supervisor Travis Wetzel and Township Solicitor David Jones were not present. A quorum was present.

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

PUBLIC COMMENTS: Chairman Ault asked if anyone present wanted to speak at this time, and Pam Hoffman, of 2571 Baltimore Pike came forward and told the Board of Supervisors that it had been about a month since a York County judge had ruled and reversed the decision the Township Zoning Hearing Board had made regarding a fence waiver. She wanted to know when they would receive some form of communication from the township letting them how compliance would be met. Chairman Ault asked if she had spoken with the Township Manager, and she said no they are waiting to hear from the Township. Chairman Ault asked the Township Manager to speak on this and Township Manager Michael Bowersox told her that the township sent the applicant a letter giving him sixty days to fix the fence.

Jeff Wilson, Impounding Dam Road brought his concerns about the overgrown population of thistles located within the West Manheim Township Recreation Park. He showed pictures of the problem the thistles are causing when they are in what he called, snowing and feels something needs to be done or it will turn into a major problem for the township.

James Horak, 879 Impounding Dam Road, also approached the Board concerning the thistle problem at the park and demonstrated what they mean when they say it is snowing in July and how that affects his farmland. He then blew on a thistle ready to go to seed. He explained this year's seeds would be next thistles; something needs to be done now to prevent more thistles next year. He then brought forth a large cluster of thistles called a bull thistle and told the Supervisors that he has counted over a thousand of the bull thistles in his fields. He then explained how this type of thistle affects the cattle grazing in the fields. He explained that it is easier to get rid of the bull thistle than to get rid of the regular thistle because it has a lateral rise zone. Therefore, regular thistle pulled or sprayed, even with Roundup, will continue to grow even underground. Mr. Horak then told the

Board members that given his background in horticulture he submitted a letter to the township offering his services by becoming a member of the Recreation Park Board.

APPROVAL OF MINUTES: Supervisor Ault made a motion to approve the Regular Board Meeting held on June 21, 2022, as corrected, seconded by Supervisor Rynearson. **Motion carried.**

DISBURSEMENTS: The Disbursements from all Funds were approved, as listed, in a motion by Supervisor Rynearson, seconded by Supervisor Hartlaub. **Motion carried.**

CORRESPONDENCE: Chairman Ault noted the Board received no correspondence.

RECREATION BOARD REPORT: Chairman Ault reviewed the Recreation Park Board Report and noted that the Rec. Board was asking for permission to buy a display board/brochure holder for the park. He told those present that he had spoken with Supervisor Rynearson (liaison to the Recreation Board) and that the park board is not ready. Chairman Ault directed Township Manager to place the display board/brochure holder for the park on the agenda for the regular board meeting in August.

Supervisor Ault made a motion to accept the Rec Board's Report as presented, seconded by Supervisor Rynearson. Motion carried.

A. Information Board Quotes for Park.

Supervisor Rynearson motioned to table the information board quotes for the park until the meeting of August 4, 2022, seconded by Supervisor Ault. **Motion carried.**

SOLICITOR'S REPORT: Solicitor Peter Ruth introduced himself to the Board members and explained that Township Solicitor David Jones had to attend another meeting. He said that he had nothing new to add to Solicitor David Jones's submitted report (copy on file).

Chairman Ault asked that Solicitor Ruth conveys to Solicitor Jones to review his report and remove those items that have been resolved.

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

ENGINEER'S REPORT: Township Engineer Cory McCoy, C. S. Davidson told board members that last month C.S. Davidson opened bids for the Pumping Station Road Culvert Replacement associated with the Harpers Hill Development. He reminded board members that this project was bid earlier this year and they

decided to re-bid the project because they did not get any local bidders that C.S. Davidson was familiar with, and the prices were much higher than C.S. Davidson's cost estimates. He then told board members that C.S. Davidson made the decision to re-bid due to the number of Penn DOT projects being out at that time and on information that they were getting from the pre-castors on their backlog. Township Engineer Cory McCoy said that even though the backlog was still significant, C.S. Davidson felt they would get more interest from contractors with the re-bid. He then told board members that C.S. Davidson got more interest but not lower prices, which leads him to believe that the prices are due to the climate that the construction industry is in right now. He then said to the Supervisors that C.S. Davidson had received three bids with the lowest bid from JVI Group Inc., for \$252,500. Township Engineer Cory McCoy said it was his recommendation if budgeted financially, to move forward with it at this time. He also suggested that the Supervisors could bond this work to be completed later, which may require an amendment to the existing developer's agreement. He told board members that the work would tie in with the work that is currently going on in that area of Pumping Station Road and that the current contract ends in May of 2023.

Supervisor Ault said that the agreement states that the township would buy the structure and J. A. Myers would install it. Supervisor Ault then said this specific quote of \$252,500 was the actual precast cost plus the wing walls and then said that you are telling me that \$252,500 in materials when the original projection was \$60,000 from the start. He then said the original projection was \$60,000 and now it is \$252,500 just to buy the same thing that was supposed to cost \$60,000 two to three years ago. Township Engineer Cory McCoy told Supervisor Ault that he was unaware of the \$60,000 and thought the agreement said \$100,000. He then proceeded to tell the Board members the work involved with this is the precast structure, the delivery, setting, and the post-tensioning. Supervisor Ault asked the Township Engineer why the township was paying for the installation when the township was only responsible for the structure. Township Engineer Cory McCoy agreed, saying this is what this (\$252,500) is.

He then explained that J.A. Myers paid for the engineering, the permitting, and the design of the structure already. He explained that they are contributing work in kind. He told the Board members all the work J. A. Myers will do per the agreement, remove the existing box culvert, do all the stream work, get the site prepped, so the box culvert can be set and post-tension, finish the site, paving, and backfill. Supervisor Ault again said that they agreed to purchase it and J. A. Myers to install it. Township Engineer Cory McCoy told Supervisor Ault that you cannot have others install the culvert that needs to be post-tension because that is a specialized type of install that comes packaged with the actual culvert, so it is the materials and the post-tension. He explained that JVI Group will set, post-tension it, and walk away. Supervisor Ault said that he was going to table awarding the bid until he saw the Developer's Agreement, he felt that the township was being made responsible for the installation of the culvert. Township Engineer Cory McCoy said that this type of box culvert needs to be all-inclusive, you could not separate it.

Supervisor Ault asked what would happen if the Board decided not to do it at all and the Township Engineer told him that they would need to re-amend the Developer's Agreement. He told board members that J. A. Myers already has costs involved with the project in the engineering, the permitting, and the design of the structure. He said that they could table awarding the bid because they had sixty days to decide.

A. Motion to award the Pumping Station Road Culvert Replacement to JVI Group, Inc. at a bid amount of \$252,500.00

Supervisor Ault made a motion to table the Pumping Station Road Culvert Replacement to JVI Group, Inc. at a bid amount of \$252,500, seconded by Supervisor Franks. **Motion carried.**

REPORTS:

- A. Monthly Budget Review – Treasurer's Report - June 2022
- B. Chief of Police, Monthly Activity Report – June 2022
- C. Public Works Report – June 2022
- D. Pleasant Hill Volunteer Fire Co.-EMS Reports – June 2022
- E. EMA Report – June 2022
- F. Code Enforcement Officer Report – June 2022
- G. SEO Report – June 2022

Supervisor Ryneanson made a motion to approve the Reports A. through G. as given, seconded by Supervisor Franks. **Motion carried.**

MANAGER REPORT: Township Manager Michael Bowersox had nothing else to add to his submitted report (copy on file).

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

OLD BUSINESS:

- A. Discussion on new public works facility and salt storage shed

Chairman Ault asked Township Manager Michael Bowersox to give an update on the public works building. Chairman Ault did tell those present that Supervisor Wetzel had spoken to him about the cost that they had given to the township two years ago. He told everyone that Supervisor Ryneanson and himself had sat down

with the builders to discuss the cost and the cost came down a couple of hundred thousand and that price was good for a certain amount of time.

Township Manager Michael Bowersox then explained that the Keystone Purchasing Network every so often rebid their contracts and contractors, which bid on those contracts. He told the Board members that the contract for the public works facility and salt storage shed expired in December of 2021. He then told them that it was rebid and Lobar got the contract and that there is a different pricing, it could be higher or lower. He told board members that he contacted the Keystone Group and asked to see with the new contract what those numbers are. He said that they were trying to get them to him for tonight's meeting, but he had not received them, and this would need to be tabled.

Chairman Ault said in speaking with Supervisor Wetzel (not speaking for him), he mentioned to him if the township was going to act as their own general contractor, with today's current pricing, it might be just as cheap if not cheaper; Supervisor Wetzel thought it could cost the township a couple of dollars to go through them if they have to hold the pricing to the prices a few years back before this increase in lumber cost. Township Manager Michael Bowersox said that he was not sure if they are obligated to hold that price. He said that he would ask Keystone, but in speaking with them based on the new contract that it would be different pricing, they could not tell him if it was higher or lower. He said that Lobar is pricing the contract right now.

Supervisor Ault made a motion to table the discussion on the new public works facility and salt storage shed until they receive the new bid sheets from Lobar, seconded by Supervisor Rynearson. **Motion carried.**

B. 2022 Road Paving Program Updates

Township Engineer Cory McCoy told the Board members that as of last evening the 2022 street improvements are complete. He then said that the seal coat was applied to Frogtown Road, Grand Valley Road, Musselman Road, Tracey Road, Utz Drive, and Warner Road. He told board members that the Township's Roadmaster spoke with Russell Standard, and they told him that the seal coat will set for a week or two; they will come back and sweep the streets, then apply the fog seal application, and within the next two weeks everything should be complete.

Chairman Ault told those present, for public record, that he has received numerous calls concerning tar and chipping. He then asked Township Engineer Cory McCoy to explain why the township tars and chips roads. Township Engineer Cory McCoy then told those present that the intent of the oil and chip is to seal the streets, to prevent the oxidation of the existing street base. He told everyone that the loose stones called whip off, over time and until that stone gets driven into the tar you will have the loose stone. He said when they come back in two weeks and put the fog seal down any loose stone will be locked in with the fog seal application.

Township Manager Michael Bowersox asked how many years chip sealing extends the life of a road. Township Engineer Cory McCoy said that a township would want to reapply the chip sealing every seven years to protect a road. The Township Manager then asked what the difference was between doing it and not doing it for the life of the road. Township Engineer Cory McCoy said that when you are talking about seal coat and the relative cost, it is little compared to neglecting roads and doing a complete rebuild. He explained you put a little bit of money out to keep your streets in good rating and it helps, in the long run, to prevent the big check to rebuild your entire street.

Chairman Ault asked what material is on the road right now and Township Engineer Cory McCoy said that some of the material is reclaimed material that was done a few years ago. Chairman Ault asked what kind of asphalt was put on and the Engineer answered 19 millimeters binder. Chairman Ault then asked does water perk through 19 millimeters and the Engineer said over five to seven years, Chairman Ault interrupted and said that if you seal it up, water does not perk through and rot from the subbase. Township Engineer Cory McCoy said that is the intent of sealing that street; you do not want to leave 19 or 25 millimeters of asphalt exposed over time because water seeps down and during freeze to thaw cycles you are going to create issues, so the structural integrity you are getting from your base and 19 millimeter or 25 millimeters of asphalt, the seal coat seals it so water does not penetrate it and it lasts longer. Chairman Ault then said, however, if you put ID3 down, does water penetrate ID3 and the Engineer told him that PennDOT does not approve of the use of ID3, so they do not use it. Chairman Ault wanted in on the record and told those present that the Township cannot use ID3 because it is not PennDOT approved so Liquid Fuel money cannot be used. Chairman Ault said that water does not perk through ID3, but it does through 19 millimeters, so that is why we seal coat the roads to prevent water perk through and the million dollars that the Board has spent on road work the past two years are not ruined through rot, subject to rot. He then directed the secretary to put the discussion word for word in the minutes so anybody who wants to call him again; I am going to tell them to read the minutes it will explain everything to you.

Township Manager Michael Bowersox then spoke on the paving schedule. He told board members that the roadcrew was able to do one small project on Beck Mill Road with the new paver and the Roadmaster is proposing three other small stretches of roads to get more training before on the new paver before they tackle the larger paving project on Casino Drive. He then told the Supervisors that those projects were Sherman's Church Road, finishing the half on Beck Mill Road that they did not do from the bridge to Fairview Drive, and Garrett Road. He told the board members they could do one, two, or all three for less than one hundred thousand dollars. He expressed that it was a training opportunity that is needed before the roads department tackles a major paving job.

Chairman Ault said that he had looked at all three roads and he is not opposed to doing all three roads, because they are bad roads. He then asked when did the township have the Vegas and Casino Roads projects scheduled and the Roadmaster answered he did not have anything scheduled yet. Chairman Ault said that the roads need

to be milled out and that is going to take scheduling from whoever we will use to mill, and they are probably booked with PennDOT, so you could be two months out right now and the Township only has until October 15 to put it down or we do not do it this year at all. He then asked Township Engineer Cory McCoy when the bid from American Pavement Fabric was; what is the expiration date. The Township Engineer answered on the 15th of October.

Chairman Ault then said that they needed to get the milling scheduled or the township will miss the opportunity to do Vegas and Casino. He said that he had no problem with doing Sherman's Church Road as a learning curve, if and only if, the township can get help from Manheim Township's Public Works Department employees, which was the initial agreement when they bought the paver. Chairman Ault explained to those present that Manheim Township has seasoned employees who can help the township's public works department as a team. Township Roadmaster Samuel Caltrider told Chairman Ault that he did speak with Manheim Township's roadmaster today and they will be helping with Sherman's Church Road. Township Roadmaster told Chairman Ault that he had not called on Manheim Township before now because of a scheduled vacation leaving Manheim Township with only one man. Chairman Ault expressed the approximate cost of \$28,000 plus or minus he was okay with trying Sherman's Church Road as a learning curve as well if the other board members were okay with it. He also wants the township to make sure that the Manheim Township's Board of Supervisors has given their okay with West Manheim Township using Manheim Township employees for the Sherman's Church Road project.

Chairman Ault told the Roadmaster that his number one priority is Vegas Drive and Casino Drive because the Board has bids out for that. He told the Roadmaster if the Township needs to hire a paver operator so be it; we need to get that street rectified or at least scheduled before Sherman's Church Road. The Township Roadmaster Sam Caltrider told Chairman Ault that they have raised all the inlets. Chairman Ault asked on both Vegas Drive and Casino Drive and the Roadmaster answered yes. Chairman Ault again said that he was okay with doing all three roads this year, but thought if the Township is going to do any of these as a learning curve, as long as everything is scheduled for Vegas Drive and Casino Drive, the township can start with Sherman's Church Road; if the township has extra time the township can see how much liquid fuel money is left, which there should be enough liquid fuel funds to get the other two roads done before October 15, 2022.

Chairman Ault asked the Board if they agreed that everything needed to be scheduled for Vegas Drive and Casino Drive before the roads department can schedule Sherman's Church Road and they agreed.

NEW BUSINESS:

A. Motion to approve Disabled Veterans Real Estate Property Tax Exemption for Patricia L. Hedrick, 1583 Beck Mill Road

Supervisor Rynearson made a motion to approve Disabled Veterans Real Estate Property Tax Exemption for Patricia L. Hedrick, 1583 Beck Mill Road, seconded by Supervisor Franks. **Motion carried.**

B. Motion to clear and correct the record due to a typographical error regarding the waiver for isolation distance between well and sand mound from 13 feet to 17 feet for property located at 764 Fairview Drive.

Supervisor Ault made a motion to clear and correct the record due to a typographical error regarding the waiver for isolation distance between well and sand mound from 13 feet to 17 feet for property located at 764 Fairview Drive, seconded by Supervisor Rynearson. **Motion carried.**

C. Motion to hire Kevin Mahan for the vacant part-time custodian/facilities maintenance position at a rate of \$18.00 per hour.

Supervisor Ault made a motion to hire Kevin Mahan for the vacant part-time custodian/facilities maintenance position at a rate of \$18.00 per hour, seconded by Supervisor Rynearson. **Motion carried.**

D. Motion to approve the purchase of baseball infield dirt with recreation funds at a cost not to exceed \$3,500.00.

Supervisor Rynearson made a motion to approve the purchase of baseball infield dirt with recreation funds at a cost not to exceed \$3,500.00, seconded by Supervisor Franks. **Motion carried.**

E. Motion to authorize the advertisement of Request for Proposal for the update of the Township Comprehensive Plan.

Chairman Ault asked what the cost for drafting a comprehensive plan and Township Manger Michael Bowersox said \$60,000. He said that the township received \$30,000 in grant money and the township would match that. Chairman Ault told everyone present that the township received \$14,544. And \$15,000 in grant money.

Supervisor Ault made a motion to authorize the advertisement of the Request for Proposal for the update of the Township Comprehensive Plan, seconded by Supervisor Hartlaub. **Motion carried.**

F. Motion to authorize advertisement for the adoption of a new stormwater ordinance.

Chairman Ault said that he had reviewed the stormwater ordinance with the Township Engineer some time ago, but he did not have a copy of it in his book. Township Engineer Cory McCoy said that was an oversight on his part. He said that he did not think the Supervisors would read the large document with all the technical terms.

Chairman Ault said to the Engineer that the changes would be more lenient on the homeowner and the Engineer agreed.

Supervisor Ault made a motion to authorize advertisement for the adoption of a new stormwater ordinance, seconded by Supervisor Rynearson. **Motion carried.**

SUBDIVISION PLANS:

A. Motion to approve the waiver request for Keel, LP -Phase II waiver request/modification requested.

Chairman Ault informed those present that the developer is asking this request to be tabled.

1. Waiver request to the West Manheim Township Subdivision and Land Development Ordinance, Chapter 235, Article IV Plan Requirements, §235-53 Hydrogeologic and groundwater assessment report. A. A hydrogeologic and groundwater assessment report is required to be submitted at the time of the submission of the application for approval of the preliminary plan, in accordance with §§ 235-11 and 235-33, respectively, of this chapter. As such: (3) A hydrogeologic and groundwater assessment report is required for all proposed land development projects when any of the following conditions are present: (b) All proposed residential developments, including phased development, containing five or more lots, either initially or cumulatively, of any size. In lieu of preparing the Hydrogeologic and groundwater assessment report, the applicant has drilled the proposed wells and provided the well reports from the well driller for the data associated with each well.

Supervisor Ault made a motion to table their request, seconded by Supervisor Rynearson. **Motion carried.**

B. Motion to approve the Keel LP, Phase II – Preliminary Plan - 6 Lot Subdivision Plan

Chairman Ault informed those present that the developer is asking this request to be tabled.

Supervisor Ault made a motion to table, seconded by Supervisor Rynearson. **Motion carried.**

EXTENSION REQUESTS PER DEVELOPER LETTERS:

C. ALL TO BE TABLED:

- Belmont Ridge Phase V, 203 Lot Preliminary Plan (Review time expires 09/21/2022)
- Belmont Ridge Phase V, 172 Lot Parallel Plan Preliminary Plan (Review time expires 09/21/2022)
- Fox Meadows - 7 Lots – Preliminary /Final Subdivision Plan (Review Time Expires 09/21/2022)
- Modwash Land Development Plan (Review Time Expires 09/21/2022)

Keel LP, Phase II – Preliminary Plan - 6 Lot Subdivision Plan (Review Time Expires 12/21/2022)

Supervisor Ault made a motion to table the following plans to the date that is shown: Belmont Ridge Phase V, 203 Lot Preliminary Plan (Review time expires 09/21/2022); Belmont Ridge Phase V, 172 Lot Parallel Plan Preliminary Plan (Review time expires 09/21/2022); Fox Meadows - 7 Lots – Preliminary /Final Subdivision Plan (Review Time Expires 09/21/2022); Modwash Land Development Plan (Review Time Expires 09/21/2022); Keel LP, Phase II – Preliminary Plan - 6 Lot Subdivision Plan (Review Time Expires 12/21/2022), seconded by Supervisor Ryneerson. **Motion carried.**

SUPERVISORS AND/OR PUBLIC COMMENTS: Supervisor Ault and Township Manager Michael Bowersox asked if anyone wanted to approach the Board members and Supervisor Franks asked if they could put some type of warning light on the Baltimore Pike and move a telephone pole further back in the area of Hobart Road and the Baltimore Pike intersection. Township Engineer Cory McCoy told the Board members that they would need to petition PennDOT to evaluate that intersection for safety concerns.

Supervisor Ryneerson told Township Engineer Cory McCoy that Supervisor Wetzel brought up that there should be some specific on the rec park plan showing electric, water, and parking spaces and he would like to meet with the Engineer. Township Engineer Cory McCoy told him that this plan is a 50/50 design, no real design. He told Supervisor Ryneerson it is like a preliminary plan that they used to submit the application. The next step is deciding who would be attending the meeting to dial down the scope of work and a better cost estimate. Everything is very preliminary. Chairman Ault said that the grant ends in 2025.

Supervisor Hartlaub asked to have someone come in to talk about investing some of the monies to get a better rate.

Supervisor Franks mentioned his concerns with the garbage company and Township Manager Michael Bowersox told the Board members that he has put Penn Waste on notice that the Township will have to seek a legal remedy if they do not start abiding by their contract.

Chairman Ault said that the township had received applications from two candidates for consideration to join the rec park. He asked that board members get copies of those applications.

Jeff Wilson expressed that he had not seen a lot of activity on the ball fields and Supervisor Ryneerson told him that the fields are being used and are rented for the season.

Chairman Ault said that it was brought to his attention that the West Manheim Ponies did not rent the field this year because of the rec fees and no concession stand. He then said that he had emailed the Township Manager Michael Bowersox a proposal from Pine Creek Structures for a concession stand out there and he was told that the rec board does not want a concession stand out there. Supervisor Ryneerson said that no one has ever brought that request to the rec board. He asked that this be placed on the Work Session agenda.

Township resident Jim Staaf of 25 Oakwood Drive approached the Board members letting them know that he filed paperwork today with the PUC to fight the proposed water and sewer rate increase that the York Water Company is asking for. He told the members that he has asked to testify at the hearing. Township Manager Michael Bowersox encourages those residents who have a water and sewer bill to let the PUC know that they are not in favor of the increase.

NEXT SCHEDULED MEETINGS: Supervisors Work Session – Thursday, August 4, 2022, at 7:00 p.m. with Supervisors Caucus at 6:00 p.m. Supervisors Regular Meeting - Tuesday, August 16, 2022, at 7:00 p.m. with Supervisors Caucus at 6:00 p.m.

ADJOURNMENT: Chairman Ault made a motion to adjourn the meeting at 8 p.m., seconded by Supervisor Rynearson. **Motion carried.**

Respectfully,

Secretary

Chairman