

WEST MANHEIM TOWNSHIP BOARD OF SUPERVISORS

WORK SESSION

Thursday, February 2, 2023, 7 p.m.

Supervisor Ault called the Work Session Meeting of the West Manheim Township Board of Supervisors to Order at 7:00 p.m. on Thursday, February 2, 2023, after a public hearing was held. The meeting took place at the Municipal Building at 2412 Baltimore Pike, Hanover, PA, 17331.

ROLL CALL: Present were Supervisors Ault, Franks, Hartlaub, Rynearson, Wetzel, Township Manager, Michael Bowersox, Solicitor Dave Jones from Stock and Leader Attorneys at Law, Township Engineer Cory McCoy from C.S. Davidson, Inc., and Township Secretary Shanna Smale. A quorum was present.

ANNOUNCEMENT: Supervisor Ault stated that an executive session was held after the last meeting on Tuesday, January 17, 2023, to discuss a personnel issues and another executive session would be held directly following the meeting to discuss two different personnel matters.

PUBLIC COMMENTS: Supervisor Ault shared that he would call each person who signed the sheet to speak up to the podium.

Chris Naylor, Attorney for Amy and Austin Bedsaul wanted to reserve the right to speak on their behalf if something were to come up during the meeting.

Kate Warner, 580 Glenville Road, 860 Glenville Road and a house on 2903 Mt Ventus Road; upset about the road closure between the two. She also stated she was upset for her neighbors who are having issues with their trash and mail service and trouble getting deliveries of packages. She is concerned about emergency services as well. Mrs. Warner would like the Supervisors to consider the hardship on the community with the closure of the road.

Allen Warner, 580 Glenville Road, 860 Glenville Road and a house on 2903 Mt Ventus Road; concerned about the road closure for emergency purposes. He is also upset that decisions can be made about the road closure without having notified the property owners in the area.

Greg Wentz, 733 Glenville Road, wants the board to know what a hardship on the community it would be to close this road.

David McNeal, 81 Glenville Road, lived in this area for 30 years and states that the township has never maintained this road. States that he has a map that shows the part of the road in question.

Traci LaMendola, 2850 Mt Ventus Road, concerned that since the road has been closed that they have not been able to get their trash collected, mail service or packages delivered.

John Gundzik, 2901 Mt Ventus Road, owns several properties in the area including 759 Glenville Road and property off of Wentz Road. Would like to have a long term fix and not something temporary. Has documentation confirming that this was used as a public road from the state of Maryland. John stated that this road was always intended to be open and impacts farming between himself and Allen Warner. Lived here for 37 years and the road has never been closed.

Supervisor Ault stated that anyone who has documentation can get it to the Township Secretary and she would give it to the Township Solicitor to review.

Jason Werner, 4733 Blooming Grove Road, grew up at 2680 Mt Ventus Road, driving on this road entire life and that road is an access for emergency services, mail and trash. Nobody was contacted to make necessary arrangements before the road was closed. Stated that there never was a dead end sign posted so it was a legitimate pass through.

Supervisor Ault then asked if anyone else wanted to speak on that topic that did not sign the list and got no response.

APPROVAL OF MINUTES: Supervisor Ryneerson made a motion to approve the Minutes of the Regular Board Meeting of Tuesday, January 17, 2023, seconded by Supervisor Hartlaub. **Motion carried.**

CORRESPONDENCE: None.

APPROVAL OF DISBURSEMENTS: The Disbursements from all Funds were approved, as listed, in a motion by Supervisor Ault, seconded by Supervisor Ryneerson. **Motion carried.**

ACTION/DISCUSSION ITEMS:

ACTION ITEMS

A. Motion to hire Ed Allison for part-time custodial work for the West Manheim Police Department at a rate of \$16.00 per hour.

Supervisor Ault made a motion to hire Ed Allison for part-time custodial work for the West Manheim Police Department at a rate of \$16.00 per hour not to exceed 30 hours per month, seconded by Supervisor Ryneerson. **Motion carried.**

B. Motion to approve the distribution of the spring Township newsletter through the Merchandiser on March 29, 2023 - cost \$2,423.00 with additional fees if necessary.

Supervisor Wetzel made a motion to approve the distribution of the spring Township newsletter through the Merchandiser on March 29, 2023 - cost \$2,423.00 with additional fees if necessary not to exceed \$3,000, seconded by Supervisor Ryneerson. **Motion carried.**

C. Motion to approve the tree limb removal dates – West Side April 10-13 & East Side April 17-20

Supervisor Rynearson made a motion to approve the tree limb removal dates – West Side April 10-13 & East Side April 17-20, seconded by Supervisor Franks. **Motion carried.**

D. Motion to approve payment to Officer Sean Rosier for a total of 26 hours compensatory time earned at straight time for tests and requirements for employment.

Supervisor Ault made a motion to approve payment to Officer Sean Rosier for a total of 26 hours compensatory time earned at straight time for tests and requirements for employment, seconded by Supervisor Rynearson. **Motion carried.**

E. Motion to approve payment to Officer Jacob Broederdorf for a total of 18 hours compensatory time earned at straight time for tests and requirements for employment.

Supervisor Rynearson made a motion to approve payment to Officer Jacob Broederdorf for a total of 18 hours compensatory time earned at straight time for tests and requirements for employment, seconded by Supervisor Wetzel. **Motion carried.**

DISCUSSION ITEMS:

A. Discussion concerning road connections between Glenville Road (West Manheim Township) and Mount Ventus Road Number One (Carroll County, MD).

Supervisor Ault stated the Board of Supervisors did not approve for the road to be closed and he would turn it over to Township Solicitor Dave Jones to explain the turn of events. Solicitor Jones stated this originally came up a few months ago. When the Bedsaul's started the planning process some questions came up about the road and if the road was public or could be closed. Township Engineer, Cory McCoy had a meeting with Solicitor Jones about the plans and if there were any records showing the road being public and they could not find anything on record. Solicitor Jones consulted with their attorney, they had done a title search and they could not find anything proving it was a public road either. Solicitor Jones consulted with the Township and they also stated that they never maintained that road. If the Bedsaul's wanted to close the road it would be a civil matter between them and the people that drove over that road. Solicitor Jones stated that if anyone drove over the road privately they would have acquired what is called prescriptive easement rights which is a private right of way over that time but they would have to prove that in a court of law to maintain that. So, no further action has been taken by the township because we do not own that road. In order to get the road, the township would have to go through formal proceedings, the township would have to take that road from the Bedsauls' and compensate them.

Supervisor Ault stated that with any documents that the residents might have showing proof of the road the township would take that into consideration. Solicitor Jones stated that he would question documents from Maryland because they do not have any jurisdiction in Pennsylvania. Solicitor Jones stated that Manager Michael Bowersox did ask him to look into Edna Myers Lane which is the other option, showing a subdivision plan from 1992 that Dwight Myers created an entrance to Edna Myers Lane,

there was a dedication of a fifty foot right of way from Glenville Road back to what is David McNeal's property now. 1920' would need to be opened which would give a connection from Glenville Road down to Mt Ventus Road and offer an alternative route. There are two owners that we would need to approach for dedication to get that open if it was the board's wishes to do so.

Supervisor Ault would like a more detailed map to be able to see what the best option would be. Dwight Myers, 7318 Hoffacker Road, came to the podium to explain more about the right of way. After more input from the public in attendance, Supervisor Ault stated the two options would be either the option using Edna Myers Lane or a civil suit between the effected residents and the Bedsauls to iron out in court. As far as the township is concerned, our hands are tied. It is not our property to open or close.

Supervisor Ault stated that if someone has proof and can show that this is a township road, we will have no choice but to take the road back. Currently, we do not have proof that this is a township road. At this point we will give the residents time to come up with the evidence or come up with a different option to work together to fix this issue.

SUPERVISORS AND/OR PUBLIC COMMENTS: Supervisor Ault asked if anyone from the public or on the board had any comments and received no reply.

NEXT SCHEDULED MEETINGS: Public Hearing amending chapter 270 of the code of Ordinances of the Township of West Manheim, which chapter is entitled "Zoning," by section 270-92, entitled "Fences and Walls," of article XV, entitled "Accessory Buildings and Uses," to permit fences up to twelve (12') feet in height in any zoning district where the principal use of such lot is Commercial and Industrial in nature and Board of Supervisors Regular Meeting – Tuesday, February 21, 2023, at 7 p.m. with Supervisor Caucus at 6 p.m. Work Session Meeting – Thursday, March 2, 2023, at 7 p.m. with Supervisors Caucus at 6 p.m.

ADJOURNMENT: Supervisor Ault made the motion to adjourn the meeting at 8:08 p.m., seconded by Supervisor Rynearson. **Motion carried.**

Respectfully,


Secretary