

## PUBLIC MEETING MINUTES

October 27, 2011

Chairperson Markel called the meeting to order at 7:00 p.m.

### ATTENDANCE

Supervisor's Present:            Dave Markel, Chairman  
   Rosa Hickey, Vice-Chairman  
   Steve Harlacher, Supervisor

Staff Present:                     Kelly Kelch, Township Manager  
   Kelly Palmer, Stenographer  
   John Herrold, Solicitor  
   Bony Dawood, Township Engineer  
   Arthur Smith, Police Chief  
   Lori Trimmer, Recreation Director  
   Stephen Callahan, Public Works Director  
   Wendy Boutilier, Finance Director

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

### EXECUTIVE SESSION

Chairman Markel announced an Executive Session was held at 6:00 pm prior to the meeting to discuss a personnel matter.

### PUBLIC COMMENTS

Chairman Markel requested comments from the public regarding any matter not scheduled for discussion on the Agenda. There were none.

### APPROVAL OF MINUTES

The minutes of the September 22, 2011, regular Public Meeting were presented for approval. Motion to approve the minutes of the September 22, 2011 regular Public Meeting as presented.

MOTION:        S. Harlacher  
SECOND:        R. Hickey

MOTION PASSED UNANIMOUSLY

## **OPEN FLOOR DISCUSSION**

**T-773 Next 5 LLC:** Brad Peters with Site Design Concepts, Inc., appeared to present the Next 5 LLC Final Land Development Plan, to construct an equipment rental, sales, service and repair facility, proposed parking area(s), and equipment display and storage yards. This property is located at the southwest corner of Zarfoss Road and East Berlin Road.

Motion to approve the Next 5 LLC Final Land Development Plan with the following conditions:

1. Planning Module exemption approval is required prior to final approval of the plan.
2. Erosion and Sediment Control and N.P.D.E.S. approvals by the YCCD are required prior to recording of the plan.
3. York Water Company approval is required for the design of all water facilities.
4. A Stormwater maintenance agreement is required for recording.
5. Maintenance fees are required for the Stormwater Maintenance Fund.
6. Financial Security and Engineering Escrow is required prior to plan recording.
7. The location of the sewer easement shall be approved by the Township Engineer.

MOTION: R. Hickey  
SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

Motion to approve the Next 5 LLC Final Land Development Plan with the following waivers:

1. A waiver of the submission of Preliminary Plans.
2. A waiver of Impact Statement on Transportation.
3. A waiver of Impact Statement on Recreation.
4. A waiver of street improvements required along the perimeter of the site.
5. A waiver of sidewalk and curb construction is required along all street frontages.
6. A waiver that access drives meet the required vertical and horizontal alignments for minor streets.
7. A waiver of the limits to one (1) access drive per lot without permission of the Board of Supervisors.
8. Waiver of the width of curb cut limited to thirty-five (35) feet at the property line.

MOTION: R. Hickey  
SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

## **UNFINISHED BUSINESS**

**Ordinance 11-04:** Motion to adopt Ordinance 11-04, deleting the existing text of Chapter 125, Article III, entitled "Earned Income Tax" and in lieu thereof adopting legislation to levy and impose a tax for general revenue purposes on Earned Income and Net Profits of residents as well as non-residents deriving income from within West Manchester Township.

MOTION: D. Markel  
SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**NEW BUSINESS**

**Ordinance 11-07:** Motion to table Ordinance 11-07, amending Chapter 29, Article II, entitled “West Manchester Township Police Pension Plan” in order to comply with the Pension Protection Act of 2006 and the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART). It is anticipated this will be on the November Agenda once it is reviewed by the members of the police department.

MOTION: S. Harlacher  
SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**Ordinance 11-08:** Motion to table Ordinance 11-08, amending Chapter 20, Article III, entitled “West Manchester Township Non-Uniformed Employees’ Pension Plan” in order to comply with the Pension Protection Act of 2006 and the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART).

MOTION: S. Harlacher  
SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**Resolution 11-16:** Motion to adopt Resolution 11-16, to re-establish the contributions by the West Manchester Township Non-Uniformed employees of the Pension Fund for the period of October 27, 2011 to December 31, 2011, to be 0.0 percent.

MOTION: R. Hickey  
SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

**Resolution 11-17:** Motion to adopt Resolution 11-17, to re-establish the contributions by the West Manchester Township Police Pension Plan is amended to 0.0 percent of payroll, from the prescribed Act 600 contribution rate for the period of October 27, 2011 to December 31, 2011.

MOTION: R. Hickey  
SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

**Mutual Aid Agreement:** Motion to execute a Mutual Aid Agreement for Fire and Rescue Services to include Dover Borough as a member, there are no other changes.

MOTION: D. Markel  
SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

**2012 Stray Animal Housing Agreement:** Motion to enter into an agreement with the SPCA of York County for animal care and housing for 2012 at an annual sum of \$9,447.00. The cost is based on the 2010 Census.

MOTION: S. Harlacher  
SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**2012 General Fund Budget:** Township Manager Kelch presented the draft 2012 General Fund Budget. Kelch stated there is no proposed tax increase, no new staff and no reduction in services. Kelch indicated it is becoming increasingly more difficult to balance the budget without a real estate tax increase.

**ADMINISTRATIVE REPORTS**

- A. Recreation Director: Trimmer's report was reviewed. There were no additional questions or comments for Trimmer.
- B. Finance Director: Boutilier's report was reviewed. Boutilier introduced Tom Ledvisky an intern from York College who will be doing his internship through the end of 2011. There were no additional questions or comments for Boutilier.
- C. Fire Chief: Nichols' report was reviewed. There were no additional questions or comments for Nichols.
- D. Police Chief: Smith's report was reviewed. There were no additional questions or comments for Smith.
- E. Manager: Kelch's report was reviewed. There were no additional questions or comments for Kelch.
- F. Engineer: Dawood's report was reviewed. There were no additional questions or comments for Dawood.
- G. Zoning Officer: Loves' report was reviewed. There were no additional questions or comments for Love.
- H. Solicitor: Herrold's report was reviewed. There were no additional questions or comments for Herrold.
- I. Public Works Director: Callahan's report was reviewed. There were no additional questions or comments for Callahan.

**APPROVAL OF BILLS**

**Bills:** Motion to pay the following bills as presented:

<b><u>Fund</u></b>	<b><u>Check No.</u></b>	<b><u>Amount</u></b>
Warrant 11-10 Fund 01	12559 - 12701	\$ 1,081,751.45
WMT Sewer Fund	1082 – 1110	\$ 406,406.16
Payroll: Pay Period Ending 09/24/11	ADP Vouchers	\$ 128,706.80
Pay Period Ending 10/08/11	ADP Vouchers	\$ 123,942.06
Pay Period Ending 10/22/11	ADP Vouchers	\$ 128,070.85

MOTION: D. Markel  
SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**ADJOURNMENT**

Motion to adjourn the regular meeting at 7:32 p.m.

MOTION: D. Markel  
SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

Respectfully Submitted,

Kelly K. Kelch/Secretary  
Kelly Palmer/Stenographer

MOTION TO APPROVE: \_\_\_\_\_  
SECOND: \_\_\_\_\_  
DATE: \_\_\_\_\_