

PUBLIC BOARD MEETING MINUTES

April 28, 2022

Chairman Harlacher called the meeting to order at 7:02 p.m.

ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman
Dave Markel -Vice Chairman
(Called in)
Ronald Ruman - Supervisor

Staff Present:

Kelly Kelch – Township Manager
Lori Trimmer – Parks & Recreation
Keith Whittaker – Finance Director
John Snyder – Police Chief
Rainer Neidoroest – Engineer
Rachelle Sampere – Zoning & Codes
Andrew Herrold – Solicitor
Rich Shaw – Public Works
Laura Mummert – Stenographer

Staff Absent:

Clif Laughman – Fire Chief

CALL TO ORDER:

The Pledge of Allegiance was recited.

EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held prior to tonight's meeting to discuss personnel matters.

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

A. The minutes of the March 24, 2022, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of March 24, 2022, as presented.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

OPEN FLOOR DISCUSSION:

No discussion was made.

OLD BUSINESS:

A. ZONING TEXT AMENDMENT: Motion to table the proposed Ordinance 22-05, amending the zoning ordinance to allow rebuilding of pre-existing, non-conformity by right. The Board discussed that this item would be brought up in the future for further discussion when updating the comprehensive and zoning ordinance plans.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

B. UPDATING THE ZONING ORDINANCE: Motion to table allowing staff to draft an RFP for consultants to collaborate with our staff, planning commission, county planning commission, supervisors, and residents to update our comprehensive plan and zoning ordinance. The Board would like to look into more options, and how much of a change they want to make before moving forward.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

C. LARGE COMMERCIAL VEHICLES ORDINANCE UPDATE: Solicitor Herrold provided a draft to the Board for review. The Board will review and give feedback of any additions or changes at next Board of Supervisors meeting.

D. DISCUSSION OF LIMITATIONS OF AUTHORITY FOR INDIVIDUAL BOARD MEMBERS: Solicitor Herrold provided to the Board during the executive session a letter of illegal opinion. No need for further discussion, as this was attorney/client privilege.

NEW BUSINESS:

A. INDEMNITY AGREEMENT WESTGATE CAMPUS PROJECT: Motion to approve signing an indemnity agreement with BAM Westgate Drive Three LLC so that the Township can apply for a highway occupancy permit to allow the installation of the improvements for extension of the stormwater drainage pipe that is within the PennDOT right-of-way. PennDOT requires the Township be the permittee and assume responsibilities and liabilities relating to the Improvements.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

B. RESOLUTION 22-12 AMERICA250PA ENDORSEMENT: Motion to approve Resolution 22-12, supporting the Pennsylvania Commission for the United States Semiquincentennial.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

C. RESOLUTION 22-13 DESTRUCTION OF RECORDS: Motion to approve Resolution 22-13, destruction of police records as provided to the Board.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

D. RESOLUTION 22-14 SEWER PLANNING MODULE FOR FINAL SUBDIVISION PLAN FOR JAMES & KRISTI SWARTZ: Motion to approve the sewer planning module for T-866 Final Subdivision Plan for James & Kristi Swartz. DEP is requesting a full planning module due to a newly created parcel being in a lime-stone area. Staff is requesting permission to forward the sewer planning module to PA DEP.

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

E. T-844 MAINTENANCE GUARANTY RELEASE FOR LOT CONSOLIDATION AND FINAL LAND DEVELOPMENT PLAN FOR THE CHURCH OF THE OPEN DOOR: Motion to approve a request from Pastor Jeremy Drake of Church of the Open Door to release the letter of credit being held in the amount of \$14,096.00 as the 18-month guaranty per §121-19 of the West Manchester Township Subdivision and Land Development Ordinance.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

F. STORMWATER MANAGEMENT ORDINANCE WAIVER & DEFERMENT

REQUEST: Motion to approve waiver requests from the Stormwater Management Ordinance §113-17.K to allow pipe sizes less than 15-inches in diameter; a deferment §113-17.N.4 to defer performing a detailed soils evaluation until construction; and a deferment §113-18.E.2 to defer performing a geologic site reconnaissance until construction. A stormwater management plan and stormwater report for new single family detached dwellings was submitted by HLS on behalf of Burkentine Builders, Inc. Dawood Engineers has reviewed the stormwater management plans and has submitted a memo supporting the requested waivers. This waiver and deferment request are for the following addresses (lots):

30 Weldon Court (Lot 8)	762 Weldon Drive (Lot 12)
766 Weldon Drive (Lot 14)	768 Weldon Drive (Lot 15)
782 Weldon Drive (Lot 22)	784 Weldon Drive (Lot 23)
788 Weldon Drive (Lot 25)	

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

G. SHETTER PARK TENNIS/PICKLE BALL COURT: Motion to approve authorizing use of the ARPA funds to re-do the Shetter Park tennis/pickle ball court due to the excessive use of the court due to the COVID-19 pandemic.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

H. CONFIRMATION OF CURRENT POLICY WAIVING USER FEES FOR BOARD

APPROVED ORGANIZATIONS: Motion to approve continuing with current policy of waiving user fees in exchange for maintenance of athletic fields for Board approved organizations. This would include West York Soccer Club, Viking Baseball Team, West York Boys Club, and West York School District. The fields will remain under ownership or lease agreements of West Manchester Township. The Board agreed this item will be placed on the Re-Organizational agenda going forward for each new year.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

I. NO PARKING REQUEST: Motion to approve allowing the Township Solicitor to prepare and advertise an Ordinance for a “No Parking” request for the east side of Thornbridge Road West between Slatehill and the Little Conewago Creek Conservation Area. Parking on this side of the street currently effects the ability of the Township Public Works Dept. to access the conservation area for maintenance.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

J. OFFICER KELLER DROP REQUEST: Motion to approve acknowledging receipt of the DROP notice for Officer David Keller and accept and approve the DROP request.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

K. APPLICATION FOR PAYMENT: Motion to approve payment number one (1) to Mr. Rehab in the amount of \$14,950.00. This was for the smoke testing done along Sunset Lane between Farm Lane and Carlisle Road, the neighboring area that includes Esbenshade Road and Cedar Road, and the area associated with Winston Drive.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

L. PAWC INDUSTRIAL PRE-TREATMENT PROGRAM ORDINANCE: Motion to approve Ordinance 22-04, adopting the PAWC pre-treatment guidelines due to the recent sale of the York City Wastewater Treatment Plant to PAWC.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

M. PAWC TREATMENT AND CONVEYANCE AGREEMENT (BULK USER AGREEMENT): Motion to approve the approval of the PAWC treatment and conveyance agreement (Bulk User’s Agreement) which was negotiated between the connected municipalities and PAWC.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

N. DEBT SERVICE REIMBURSEMENT AGREEMENT: Motion to approve the approval of the debt service reimbursement agreement for the over-payment to York City for improvements to the wastewater treatment plant in the amount of \$146,478.06.

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

O. YORK COUNTY CO-RESPONDER PROGRAM COOPERATION AGREEMENT: Motion to approve entering into an agreement for a new program that pairs mental health experts with responding police in an effort to guide people with mental illness toward treatment instead of incarceration.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

P. HVAC SYSTEM: Motion to approve updating the HVAC system so that the whole system would be using the new universal master system. The quoted price for this upgrade is \$81,410.00.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

ADMINISTRATIVE REPORTS:

- A. RECREATION DIRECTOR: Director Trimmer's report was reviewed. Director Trimmer was asked how the playground program numbers looked so far. She replied that things were moving at a normal pace, and they typically see a higher sign-up increase when school is over. No further questions.
- B. FINANCE DIRECTOR: Director Whittaker's report was reviewed. Director Whittaker announced that the ARPA funds had to be reported, and the paperwork had been filed before the deadline. The Township has resumed water terminations for delinquent sewer bills. The finance team has found two programs that offer assistance to help pay sewer payments. Supervisor Ruman asked where we were with using the ARPA funds. Director Whittaker answered that a large amount of these funds will be used for stormwater/sewer projects. There was a meeting to discuss designating which areas of the Township would be repaired or updated first. Engineer Neideroest updated the Board as well. The Board asked Engineer Neideroest to give them a more detailed report as soon as possible. No further questions.
- C. FIRE CHIEF: Chief Laughman's report was reviewed. No further questions.

- D. POLICE CHIEF: Chief Snyder’s report was reviewed. Supervisor Ruman asked Chief Snyder and Chief Laughman for a report that documents costs associated with the York Fair for services provided by both departments. Chief Snyder agreed and did mention that the Fair has begun giving the Township an impact fee again. National Night Out was discussed, and Supervisor Ruman suggested the Township have a table for residents to inquire about services provided. Chief Snyder recognized recent retiree Loretta Huggins for her many years of service to the Township. No further questions.
- E. TOWNSHIP MANAGER: Manager Kelch’s report was reviewed. Manager Kelch discussed the PSATS conference he attended at the end of April. He thanked the Board for allowing him to attend, and mentioned he was asked to be a speaker at the PSATS Fall Forum. Manager Kelch asked the Board for permission to attend and speak, the Board agreed unanimously. Manager Kelch also mentioned that the Police/Fire Recognition Ceremony has a tentative date. Residents can look on the Township Facebook and website pages for the finalized date and time. No further questions.
- F. ENGINEER: Engineer Neideroest’s report was reviewed. The Board asked Engineer Neideroest to provide them with an update on the Haviland Road Sewer Project at last month’s meeting. He provided the Board with that information. No further questions.
- G. ZONING OFFICER: Officer Sampere’s report was reviewed. No further questions.
- H. SOLICITOR: Solicitor Herrold’s report was reviewed. No further questions.
- I. PUBLIC WORKS DIRECTOR: Mr. Shaw’s report was reviewed. No further questions.

STORMWATER MANAGEMENT/MS4

Zoning Officer Sampere noted that the Township’s MS4 Storm Water Inspector is available Monday thru Friday 8 a.m. to 4:30 p.m. to answer any questions related to storm water management.

BILLS: Motion to pay bills as presented:

<u>FUNDS</u>	<u>CHECK NO.</u>	<u>AMOUNT</u>
General Fund	32010-32160	\$ 617,709.72
Liquid Fuels	1131-1148	\$ 9,448.28
Sewer Fund	5201-5245	\$ 475,643.02
Payroll#7 Pay Ending 3/26/22	Paytime Vouchers	\$ 112,916.88
Payroll#8 Pay Ending 4/9/22	Paytime Vouchers	\$ 115,990.08
Payroll#9 Pay Ending 4/23/22	Paytime Vouchers	\$ 118,718.09

MOTION: D. Markel
 SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY

ADJOURNMENT:

- A. Supervisor Ruman announced that a bill has move forward about fireworks and allowing the Townships to create an Ordinance. He asked that Chief Snyder and Laughman keep their eye on this bill for anymore updates. Chief Laughman was commended for his volunteer flyers that were sent out.

Motion to adjourn the regular meeting at 8:04 p.m.

MOTION: S. Harlacher

SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY

Attest:

Secretary

Chairman

Vice Chairman

Supervisor