

PUBLIC BOARD MEETING MINUTES

December 15, 2022

Vice-Chairman Markel called the meeting to order at 7:00 p.m.

ATTENDANCE:

Supervisors Present:	Dave Markel – Vice Chairman Ronald Ruman – Supervisor
Staff Present:	Kelly Kelch – Township Manager Lori Trimmer – Parks & Recreation Keith Whittaker – Finance Clif Laughman – Fire Chief John Snyder – Police Chief Rainer Neidoroest – Engineer Rachelle Sampere – Zoning & Codes Andy Herrold – Solicitor Rich Shaw – Public Works Laura Mummert – Stenographer
Supervisors Absent:	Steven Harlacher - Chairman

CALL TO ORDER:

- A. The Pledge of Allegiance was recited.
- B. PROMOTION CEREMONY FOR ZACHARY MARTZ: Chief John Snyder and Lieutenant John Hanuska gave a presentation to celebrate the promotion of Officer Zachary Martz to Sergeant. Sergeant Martz's family was also present to join in this celebration.

EXECUTIVE SESSION:

Manager Kelch announced there was an executive session held prior to tonight's meeting to discuss personnel matters. He also announced an executive session was held on December 19th, 2022, to discuss personnel and litigation issues.

PUBLIC COMMENT:

A. Mr. Mel Campbell of 10 Codorun Lane and his attorney, Paul Minnich, gave a brief back story of the ongoing trash dumping issues on Mr. Campbell's property, and the violations he has received for the dumping. Solicitor Herrold announced to the Board and staff to not comment as the Township is in current litigation with Mr. Campbell. Attorney Minnich proceeded to give the Board a Right-to-Know Request and another litigation notice.

B. Ms. Jen Menges announced she would be running for the vacant Magisterial Judge position and just wanted to greet the Board and staff. The Board thanked her.

C. Mr. Randy Zmolek of 1980 Baker Road, addressed the Board with his issue at his property with the constant traffic accidents occurring and damaging his fence. He asked for an update on the possibility of a guardrail. Supervisor Ruman informed Mr. Zmolek that staff have spoken with Verizon on possibly splitting the cost for a guardrail as their utility pole is often damaged in these accidents as well. Staff was informed it would need to go to their corporate for a decision. Staff also investigated extra signage for along Baker Road, but found this would cost as much as a guardrail and that signage was already in place to warn drivers of the sharp corner. A camera being installed on Mr. Zmolek's property to capture license plate numbers was discussed and will be looked into. A motion was made by Supervisor Ruman for staff to work with Mr. Zmolek to install a temporary camera to see if this will help resolve with traffic issues. Vice-Chairman Markel second the motion. Motion was approved unanimously.

D. Angela Lawson of 2298 Heather Road expressed her concerns to the Board about the ongoing stormwater issues at her property. Ms. Lawson spoke under public comment at the October Board of Supervisors meeting regarding this same issue. The Township Engineer and Zane Williams, Township Stormwater/MS4 employee investigated the stormwater pipe in Ms. Lawson's area and determined there was no flaws with the pipe. Engineer Neidoroest explained to Ms. Lawson again that there was nothing more the Township could do, and recommended she investigate regrading her property to try and help this issue. Ms. Lawson asked why the Township allowed the builder to not put in seepage pits when the neighborhood was built, and staff explained that when this area was built, building codes did not exist like they do today. Solicitor Herrold again recommended to Ms. Lawson that she should seek counsel to help her move forward with her draining issues.

E. Damian Wilson of 1860 Carlisle Road expressed his concern for the current zoning and how it affects the keeping of non-commercial chickens. He currently is in residential area, and would like the Board to consider allowing non—commercial livestock when they update the Zoning Ordinance. The Board thanked him for his comments.

APPROVAL OF MINUTES:

- A. The minutes of the November 10, 2022, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of November 10, 2022, as presented.

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

OPEN FLOOR DISCUSSION:

None

OLD BUSINESS:

- A. WEST YORK SCHOOL DISTRICT SRO: Motion to approve entering an agreement with the West York School District for an additional School Resource Officer (SRO). Staff looked over this agreement and has recommended to move forward with signing the agreement.

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

- B. T-872 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PROPOSED RETAIL BUILDING AND DRIVE-THRU/FAST FOOD RESTAURANTS FOR WEST MANCHESTER TOWN CENTER: This request is tabled as staff is still awaiting a traffic study and other outstanding comments to be completed.

NEW BUSINESS:

- A. RESOLUTION 22-19 HONORING SERGEANT ADAM BRUCKHART: Motion to approve Resolution 22-19, honoring Sergeant Adam Bruckhart for his fourteen (14) years of service with the West Manchester Police Department.

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

- B. RESOLUTION 22-20 ADOPTION OF THE 2023 BUDGET: Motion to approve Resolution 22-20, adoption of the 2023 General Fund Budget as advertised. Director Whittaker announced there was a small change to the budget regarding the fire department, but it was a small amount of money. Supervisor Ruman thanked Director

Whittaker and all department heads for their work on completion of the budget.

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

C. RESOLUTION 22-21 FIX ASSESSMENT RATES FOR STREET LIGHTS: Motion to approve Resolution 22-21, fixing assessment rates for the year 2023 for street lighting purposes. Rates will remain unchanged at .60 per linear foot for improved property, and .15 per linear foot for unimproved property.

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

D. RESOLUTION 22-22 ESTABLISHING A TAX RATE FOR 2023: Motion to approve Resolution 22-22, a tax levy resolution establishing the tax rate for the year 2023 at 1.75 mills. The rate remained unchanged.

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

E. RESOLUTION 22-23 REFUSE DISPOSAL FEES: Motion to approve Resolution 22-23, establishing the refuse disposal fees for 2023. The rate is increasing by \$2.00, going from \$58.00 a quarter to \$60.00 a quarter for both residential and commercial consumption for the 2023 year. This was caused by another increase in the tipping fee cost by York Solid Waste Authority.

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

F. RESOLUTION 22-24 ESTABLISHING SEWER RENTALS: Motion to approve Resolution 22-24, establishing sewer rentals and charges for the Shiloh sanitary and Sewer system and the Lincolnway sewer system for the year 2023. The rates will be \$190.25 residential base rate and \$200.25 for 31,800 gallons base rate plus an additional \$8.00 per thousand gallons over the base amount.

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

G. ORDINANCE 22-11 PA UNIFORM FIREARMS ACT: Motion to approve Ordinance 22-11, updating the Township ordinance to comply with the PA Uniform Firearms Act.

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

H. SURETY REDUCTION FOR T-854 FINAL LAND DEVELOPMENT PLAN FOR PROJECT PHOENIX: Motion to approve a request from Kinsley Properties to reduce the required improvement guarantee from \$390,667.00 to \$62,972.11. Dawood engineers have reviewed the request and provided their recommendation to the Board to reduce the required surety and retain \$67,367.00.

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

I. CAPITAL FUND TRANSFERS: Motion to revise this transfer stating that there was an excess amount from the 2021 budget, and to take 20% of this and create a budget stabilization fund line item in case of future costly projects and to protect our taxpayers from a possible tax increase.

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

J. RESOLUTION 22-25 PA SMALL WATER & SEWER PROGRAM GRANT: Motion to approve Resolution 22-25, authorizing staff to apply for the PA Small Water and Sewer grant in the amount of \$500,000.00 from the Commonwealth Financing Authority to be used for the Hayward Area Surface Water and Inflow Corrections Project.

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

K. HAYWARD AREA SEWER PROJECT BID AWARD: Motion to approve awarding the Hayward Area Sewer Project bid to Mr. Rehab who was the lowest bidder in the amount of \$351,513.00.

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

L. APPLICATION FOR PAYMENT: Motion to approve a request for application of payment #1 to Wexcon Inc. for the Haviland Road Sewer Extension Project in the amount of \$103,151.95.

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

ADMINISTRATIVE REPORTS:

- A. **RECREATION DIRECTOR:** Director Trimmer’s report was reviewed. Trimmer announced the winter newsletter would be out soon to residents. No further questions.
- B. **FINANCE DIRECTOR:** Director Whittaker’s report was reviewed. Director Whittaker thanked staff for their work on the budget. No further questions.
- C. **FIRE CHIEF:** Chief Laughman’s report was reviewed. Chief Laughman announced that the West York School District passed the volunteer tax credit at its last meeting. He also announced that Santa Claus will be visiting the Township on December 17th and 18th. No further questions.
- D. **POLICE CHIEF:** Chief Snyder’s report was reviewed. No further questions.
- E. **TOWNSHIP MANAGER:** Manager Kelch’s report was reviewed. Manager Kelch updated the Board on the progress of the Strategic Plan. He also announced that the agreement was signed with CitiBot for the texting application and that staff will begin working with CitiBot to get this implemented. No further questions.
- F. **ENGINEER:** Engineer Neideroest’s report was reviewed. No further questions.
- G. **ZONING OFFICER:** Officer Sampere’s report was reviewed. Officer Sampere was asked to give an update on the violation at 2770 Thornbridge. She updated the Board that a civil complaint has been filed. No further questions.
- H. **SOLICITOR:** Solicitor Herrold’s report was reviewed. Solicitor Herrold announced he is working on a sewer ordinance re-write. No further questions.
- I. **PUBLIC WORKS DIRECTOR:** Director Shaw’s report was reviewed. Director Shaw updated the Board that leaf collection was ending on December 16th. 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	33004-33164	\$ 681,750.17
Liquid Fuels	1235-1244	\$ 3,650.14
Sewer Fund	5481-5523	\$ 1,507,316.97
Payroll#24 Pay Ending 11/19/22	Paytime Vouchers	\$ 117,599.31

