

## PUBLIC BOARD MEETING MINUTES

January 26, 2023

Chairman Harlacher called the meeting to order at 7:00 p.m.

### ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman  
Ronald Ruman – Vice Chairman  
Dave Markel – 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

### CALL TO ORDER:

A. The Pledge of Allegiance was recited.

B. Vice-Chairman Ruman asked for a moment of silence for the recent tragedy regarding the Daub Family. A moment of silence occurred.

### EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held prior to tonight's meeting to discuss personnel matters. He also announced executive sessions were held on January 5th, January 10th, and January 26<sup>th</sup> for the strategic plan meetings.

### PUBLIC COMMENT:

A. Damian Wilson of 1860 Carlisle Road presented his concern again for the need of adjusting the Ordinance to allow for chickens. Chairman Harlacher made some suggestions to Mr. Wilson such as a petition of residents in favor of chickens being allowed in residential areas, as well as reminding him and residents that the comprehensive plan will begin this year and the Board will welcome public input for this plan.

**APPROVAL OF MINUTES:**

- A. The minutes of the December 15, 2022, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of December 15, 2022, as presented.

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

- B. The minutes of the January 3, 2023, Reorganizational Meeting were provided for approval. Motion to approve the Reorganizational Meeting Minutes of January 3, 2023, as presented.

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

**OPEN FLOOR DISCUSSION:**

A. Chairman Harlacher did announce that the Board, Manager Kelch, and department heads have been working on the Township strategic plan. As well as a new text messaging alert system is being worked on by staff and will be available to residents in the next month or two.

**OLD BUSINESS:**

- A. 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.

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

**NEW BUSINESS:**

- A. RESOLUTION 23-07 HONORING DENNIS REIGART: Motion to approve Resolution 23-07, honoring and celebrating the service of Dennis Reigart for 50 years of service to the residents of West Manchester Township as an EMT and President/CEO of First Capital EMS (West York) Ambulance. The Board and staff took time to thank Mr. Reigart for his service.

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

- B. BAKER ROAD GUIDERAIL: Discussion on the ongoing guiderail request from Mr. Zmolek of 1980 Baker Road. Director Shaw gave an update to the Board and to Mr. Zmolek on what he has learned since the last meeting. He contacted LTAP and PennDot, and each business expressed their concerns with installing a guardrail. Other options should be looked into, such as more signage and moving warning signs closer to the turn, as well as grading of the road at the turn, anti-skid surfacing, and an embankment. Staff was directed to look into the anti-skid surfacing as well as adding more signs. It was also mentioned that a camera surveying this area was installed since the last meeting. Mr. Zmolek thanked the Board and staff and expressed his appreciation for taking these steps.
- C. TRANSIENT SALES WAIVER REQUEST: Discussion was had on whether to allow a transient sales permit request for Mr. Steve Moreira, owner of Hydrangea Haus located at 2035 Carlisle Road. This request is for a food truck to be allowed on this property for a maximum of three (3) months, however where the food truck would be located does not meet the stand-alone ordinance of the 200 feet setback. Mr. Moreira was not in attendance, but the Board decided to allow the applicant to have the food truck with the condition that traffic flow from his property on to Elim Street to reduce traffic onto Carlisle Road from this address.
- D. RESOLUTION 23-06 DESTRUCTION OF RECORDS REQUEST: Motion to approve a request to destroy the provided list of records found on Resolution 23-06 from the finance, police, and fire departments.

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

- E. APPOINTMENT OF OPEN POSITION ON ZONING HEARING BOARD: Motion to approve appointing Adam Prey as a member on the Zoning Hearing Board for a one-year term expiring on December 31, 2023, and moving Donna Barshinger to the alternate position effective immediately.

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

- F. T-870 PRELIMINARY/FINALD LAND DEVELOPMENT PLAN FOR PROPOSED CAR WASH SURETY TO BE ESTABLISHED: Motion to approve a recommendation from Dawood Engineers to accept the financial security estimate provided by Site Design Concepts for public improvements related to sanitary sewer, street construction and storm sewer system in the amount of \$190,022.25.

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

G. T-874 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR SHEETZ AND SURETY ESTABLISHMENT: Mr. Joseph Gurney was in attendance from First Capital Engineering to give a brief description to the Board of what was being done at this location. The Board did not have any questions. Motion to approve a preliminary/final land development plan depicting the demolition of the existing Sheetz store and canopies and construction of a new 6,136 sq. ft. Sheetz store with canopy and 10 fueling positions, and 42 parking spaces located at 4025 West Market Street in the Local Commercial (LC) Zone and the General Industrial (I-3) Zone. First Capital Engineering has submitted a financial security estimate of probable costs for improvements associated with this project in the amount of \$1,069,956.00. The sewer planning module shows an increase from 2,000 gallons per day (existing) to 2,042 gallons per day which is equivalent to 6 EDUs. No additional EDUs are proposed to be purchased.

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

H. ROAD CLOSURES: Motion to ratify road closures for the following streets:

- Scott St. from Filbert St. to W. Philadelphia St. on January 10<sup>th</sup> for gas line repair.
- Maple Rd. from Sycamore Rd. to Bank Ln. on January 13<sup>th</sup> for service line repair.
- Winding Rd. and Spring St. that began in the middle of January and will remain closed for approximately one month to complete a gas main replacement project.

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

I. DRAFT FIREWORKS ORDINANCE: Solicitor Herrold gave a summary about the fireworks law, and that two notable changes were made. In the draft ordinance it notes that there is an hour's restrictions update, and that fines will increase. Solicitor Herrold also noted that the Board should not require permitting at this time. Based on this discussion a motion was made to approve Solicitor Herrold to prepare and advertise an ordinance for consideration at the February 2023 Board meeting.

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

J. VOLUNTEER FIREFIGHTER TAX CREDIT: Solicitor Herrold gave an update to this proposal brought forth by the Fire Chief last year. Solicitor Herrold has prepared a "base" ordinance and working with Chief Laughman has set forth a Resolution which will set the criteria for participation in that tax credit. Chief Laughman stated he recommends a

sliding scale to be used which will give each volunteer to earn a certain amount based on participation with the department throughout the year. The volunteer will have the option of property tax relief from 25% to 100% or can choose to take EIT relief anywhere from \$100 to \$500. The Board will review the draft ordinance and updated resolution and this matter will be on the February agenda for action.

- K. ORDINANCE 23-01 SEWER DISTRICT CONSOLIDATION: Motion to approve Ordinance 23-01, consolidation of the Lincolnway and Shiloh sewer systems to make rates equitable for all sewer customers.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

- L. BARN COMPLAINT ON BAKER ROAD: A complaint was received for an old barn that is falling down on Baker Road. The owner of this barn has been cited multiple times that have yet to pay any fines or make progress on the building itself. Solicitor Herrold gave a summary of what has been going on and actions that have been taken in the past. Mr. Zmolek who was present in the audience is the neighbor to this owner, and also spoke to the issue and about knowing the owner. He offered to speak to her, and the Board was okay with this. The Board also approved having Solicitor Herrold send one last letter to the homeowner addressing the dangerous building before further steps will be taken.

- M. BRENDA ROAD CROSSWALK: Discussion by the Board for a request for the possibility of a crosswalk on Brenda Road for the Trimmer Elementary school. Director Shaw reached out to get an estimate in price to do this project and the estimate came in around \$1,000.00. Chief Snyder asked the West York School District if they would help with the cost since it directly affects them, and they turned down the request. Motion was made to allow staff to work with a contractor to put in a crosswalk on Brenda Road near Trimmer Elementary School.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

- N. YORK COUNTY MOBILE DATA COMPUTER CONTRACT: Motion to approve renewing the mobile data computer contract that will run from April 1, 2023, to March 31<sup>st</sup>, 2028. The contract has some minor changes and was provided to the Township Solicitor for review.

MOTION: R. Ruman

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

- O. MINI EXCAVATOR PURCHASE: Motion to approve the purchase of a mini excavator to be shared between the Sewer and Highway Departments. Stephenson Equipment, who is a COSTARS approved vendor, quoted the excavator at \$81,165.00. This item was included in the budget for 2023.

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

- P. SMALL CONFERENCE ROOM IMPROVEMENT: Discussion on updating the small conference room with a display screen and computer HDMI port for presentation purposes. The cost of these improvements would be \$6,602.34. Motion was made to approve the proposed small conference room improvement.

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

- Q. APPOINTMENT OF ALTERNATE SEO: Motion to approve appointing Jason Keegan as alternate SEO for the 2023 year. This item was tabled from the Re-Organizational meeting as the previous alternate SEO is no longer with the company.

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

- R. UNIVEST BANK AND TRUST: Motion to approve entering a business relationship for the purpose of depositing funds with Uninvest Bank and Trust.

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

### **ADMINISTRATIVE REPORTS:**

- A. RECREATION DIRECTOR: Director Trimmer's report was reviewed. Trimmer thanked Stewart & Co. for being the sponsor again for the fireworks at the Carnival this year. No further questions.
- B. FINANCE DIRECTOR: Director Whittaker's report was reviewed. Director Whittaker thanked the Board for their approval of working with Uninvest. No further questions.
- C. FIRE CHIEF: Chief Laughman's report was reviewed. No further questions.
- D. POLICE CHIEF: Chief Snyder's report was reviewed. Chief Snyder thanked Mr. Reigart for his service and the great relationship they have. Chief Snyder announced he attended the Martin Luther King celebration and it was a great experience. Vice-

Chairman Ruman brought to the Chief’s attention an issue at the Rolling Hills apartment with the new lights they installed. One light is causing safety issues for drivers not being able to see. It was mentioned that this could also be a Zoning issue. the Board asked Chief Snyder and Officer Sampere to look into this. No further questions.

- E. TOWNSHIP MANAGER: Manager Kelch’s report was reviewed. Manager Kelch told the Board about the Little Conewago Creek restoration projects and staff will be getting construction easements to improve the buffer area of the creek. No further questions. Manager Kelch also announced that proposals have come in for the comprehensive plan project, and that the Board will be conducting interviews of the two applicants. Manager Kelch asked the Board to consider some changes to the non-uniformed employee handbook regarding use of sick time and the implementation of “Casual” Fridays for administration staff. He proposed that employee earned sick time could be used for taking care of family members in the immediate household as many of our employees have young children. The Board was in agreement of these requests, and asked that changes would be made to the handbook to be voted on at the February meeting. No further questions.
- F. ENGINEER: Engineer Neideroest’s report was reviewed. Engineer Neideroest updated the Board on the Haviland Road project and that it will soon be completed. He also announced that the kickoff meeting with Mr. Rehab regarding the Hayward area project will be happening in the next month as well. 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: Director Shaw’s report was reviewed. Manager Kelch announced that Director Shaw had completed his probationary term as Director, and as agreed upon requested the Board make a motion to give a salary increase to Director Shaw. Chairman Harlacher made a motion to increase Director Shaw’s salary as agreed upon, and Supervisor Markel second that motion. Motion was passed unanimously. 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:

<b><u>FUNDS</u></b>	<b><u>CHECK NO.</u></b>	<b><u>AMOUNT</u></b>
General Fund	33165-33336	\$ 1,002,624.59
Liquid Fuels	1245-1263	\$ 10,683.78
Sewer Fund	5524-5577	\$ 915,982.89
Payroll#26 Pay Ending 12/17/22	Paytime Vouchers	\$ 122,390.15

