##### PUBLIC MEETING MINUTES

March 28, 2019

Chairman Hickey called the Public meeting to order at 7:12 p.m.

**ATTENDANCE**

Supervisors Present: Rosa Hickey, Chairperson

Steve J. Harlacher, Vice-Chairman

Dave Markel, Supervisor

Staff Present: Kelly Kelch, Township Manager

Lori Trimmer, Recreation Director

Keith Whittaker, Finance Director

Stephen Callahan, Public Works Director

Rachelle Sampere, Zoning Officer

John Snyder, Chief of Police

Clif Laughman, Fire Chief

Paul Wilson, Township Engineer

John Herrold, Township Solicitor

Tricia Smeltzer, Stenographer

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**EXECUTIVE SESSION**

Chairman Hickey announced an Executive Session was held prior to tonight’s meeting to discuss personnel matters. No action was taken.

**PUBLIC COMMENTS**

A. Jeremy Dedrick – 1059 Lafayette Street – wanted to make the board aware that he is not happy about the noise that is happening with the construction/expansion at Bickels. He said that there is a corn silo storage tank on the opposite side of the road as the residential homes and the tanks are running at late hours of the night and on weekends and are very noisy. A neighbor of Mr. Dedrick’s told him that the tanks were not permitted as part of the construction. Manager Kelch stated that Bickels did a land development plan but that plan did not include the tanks. The township is addressing the situation with Bickels and working on a solution. The township advised Bickels to either remove the tanks or put up sound proof barriers/screens. Zoning Officer Sampere stated she spoke to a representative of Bickels and they will be submitting a new land development plan to the township Planning Commission to address the current situation, but in the meantime, as of March 31st, they are going to reduce their hours of operation and will not be running these tanks over night. Solicitor Herrold advised for the township and residents to see how the reduced hours are working before taking any other steps. Manager Kelch would like Mr. Dedrick to advise the township on how well the reduced hours are working once they take effect. Solicitor Herrold stated the reduced hours are supposed to be outside of the 9am-10pm hours. Mr. Dedrick noted that he spoke to someone at Bickels and they seem friendly and open to working through the issues.

#### APPROVAL OF MINUTES

1. The minutes of the February 28, 2019 Public Hearing Meeting were presented for approval. Motion to approve the minutes of the February 28, 2019 Public Hearing Meeting as presented.

MOTION: S. Harlacher

SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

1. The minutes of the February 28, 2019, regular Public Meeting were presented for approval. Motion to approve the minutes of the February 28, 2019 regular Public Meeting as presented.

MOTION: S. Harlacher

SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

#### OPEN FLOOR DISCUSSION

None

**UNFINISHED BUSINESS**

1. FIRE TRUCK REPAINTING: Motion to approve a request from the Fire Chief and Fire Company to repaint the new ladder truck white due to corrosion issues. This item was tabled at the February meeting, while waiting to hear if the Fire Company would have any interest in helping to fund the cost of the repainting and graphics. The Fire Department agreed to pay 17.16% of the cost of the repainting. Fire Chief Laughman obtained several quotes and the lowest came in at $21,418.58. Chief Laughman checked their references and received high recommendations for the lowest quoting company.

**NEW BUSINESS**

1. ORDINANCE 19-01 ZONING ORDINANCE TEXT AMENDMENT: Motion to approve Ordinance 19-01; a request to allow solar energy farms to be a permitted use in the Agricultural and Quarry Zoning Districts. Manager Kelch noted that staff recommends approval of this text amendment.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. RESOLUTION 19-16 SNOW EMERGENCY DECLARATION - Motion to ratify

Resolution 19-16 declaring a Snow Emergency from March 3 from 3pm to March 4

at 11am, 2019.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. RESOLUTION 19-17 TRANSFER LIQUOR LICENSE REQUEST: Motion to approve Resolution 19-17; a request from Sheetz, Inc. to transfer a Liquor License from Fairview Township into West Manchester Township at 1484 Carlisle Road.

MOTION: R. Hickey

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. SHILOH WATER FLUORIDATION: Motion to table a request from Shiloh Water Authority to remove fluoride from the water system. Staff recommends discussing this at next month’s meeting, when the township, will hopefully have more information from the Shiloh Water Authority and hopefully will have a representative from the Authority on hand to answer any questions. It was noted that West York School District does not administer fluoride pills to students.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. ORDINANCE 19-02 HANDICAPPED PARKING SPACE REQUEST: Motion to approve Ordinance 19-02 to create a new handicapped parking space at 1415 West College Avenue at the request of the current owner.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. ORDINANCE 19-03 ATTORNEY FEES AND LIEN ENFORCEMENT: Motion to approve Ordinance 19-03 allowing for the collection of Attorney fees and other charges incurred during the collection of delinquent accounts, primarily delinquent refuse accounts. Finance Director Whittaker advised that when someone doesn’t pay their refuse bill, the township currently has no recourse. This Ordinance would allow the Township Solicitor to file a lien and collect fees. Solicitor Herrold advised there will be a series of letters that will be sent before he can begin the process of filing a lien. This Ordinance will pertain to any resident or mortgage company that doesn’t pay refuse bills. Chairman Hickey asked how a resident will find out about these fees that will be imposed with this Ordinance in place. Manager Kelch stated that anyone who pays their bills will not even know about this Ordinance.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. POLICE CONTRACT: Motion to approve an extension of the police contract with the following terms:

* New salary scale for future hires to include max pay at five years rather than 3 years and no longevity payment until after year 6. Manager Kelch noted that this section alone saves the Township approximately $35,326 over the course of five (5) years for every new officer hired until the officer maxes out.
* Increase in Personal Time from 32 hours to 48 hours for current and future personnel

Conversion of Bereavement Leave from hours, as stated in MOU, back to days, as stated in the contract.

* Changes to pay scale, personal time, and bereavement to be effective immediately.

3 year contract extension with pay increase of 3% per year to begin at the completion of the current contract (12/31/2020).

MOTION: R. Hickey

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. JANITORIAL SERVICES BID AWARD: Motion to award a Janitorial Services

Bid to Preferred Janitorial Service Inc., at a bid price of $36,864 for two years. Manager Kelch credited Kristi Swartz for this heading up this task. He also mentioned that she checked references for Preferred Janitorial Service, Inc. and they proved to be all positive.

Bids received were as follows:

1. Preferred Janitorial Service Inc. $36,864.00

2. Eagle Maintenance Systems LLC $68,400.00

3. Home of the Clean $82,999.92

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. T-843 FINAL SUBDIVISION PLAN:  Motion to approve a Final Subdivision Plan for Daniel G. & Eileen M. McGowan and Daniel Edward & Allison Marie Lehr, located at 328 & 400 North Forrest Street to add lot additions (an unopened portion of West Orange Street acquired through quiet title) to their properties in the R-3 Residential Zoning District. John Runge with Gordon Brown and Associates was in attendance to answer any questions the Board may have on the plan. The plan was approved with the following conditions and waivers:

Conditions:

1. All administrative items shall be addressed prior to plan recording (payment of all

invoices, etc.)

2. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)

3. A new deed should be prepared for the newly configured lots and recorded with

the plan so that the County Tax Map is changed.

Waivers:

W1. Existing features within 200’ of the property shall be shown on the plan. (121-14.c.3 & 4; 121-15.C)

MOTION: R. Hickey

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. TROLLEY ROAD SANITARY SEWER DIVERSION PROJECT PAYMENT: Motion to approve a request for payment #2 to pay Wexcon, Inc. in the amount of $184,990.17 leaving a balance of $35,515.75 for the completion of the project The township Engineer recommended approval of this request.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. RESOLUTION 19-18 ‘SAFE DIGGING MONTH’: Motion to approve

Resolution 19-18 declaring the month of April as ‘Safe Digging Month’ as

recognized by the Pennsylvania One Call System. Public Works Director Callahan

also recommended the township update our website with this information in order to

remind residents to ‘call before they dig’.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. RESOLUTION 19-19 UPDATING THE INVESTMENT POLICY AND PROCEDURES: Motion to approve Resolution 19-19 amending a portion of the text to the West Manchester Township Investment Policy and Procedures. Finance Director Whittaker stated that the amendment is only a minor change, changing the wording from ‘shall’ to ‘may’.

MOTION: R. Hickey

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. DISCUSSION TO ALLOW FIRE DEPARTMENT TO BILL FOR SERVICES:

Chief Laughman is looking to generate revenue for some upcoming expenses for his department. He gave the board a packet of information and would like to recommend and request that the Fire Department be permitted to bill insurance companies for various fire department calls. He noted that Lancaster City does it and York City is contemplating implementing this policy. He also stated that the WMT Fire Department would never bill any homeowner or resident and noted that their insurance rates would not increase if this policy is enacted. His packet of information included a review of proposals from PA Fire and Recovery Services to bill for time and materials for various fire department calls. PA Fire and Recovery Services only charges a fee of 15%, whereas another company in Harrisburg charges 25%. Vice Chairman Harlacher asked if there are any down sides to this. Chief Laughman said there are not. He also stated that he would need to work with Solicitor Herrold to create an Ordinance for this proposed policy. By consensus the Board of Supervisors agreed to allow the Township staff to move forward in meeting with Solicitor Herrold.

### ADMINISTRATIVE REPORTS

1. Recreation Director: Trimmer’s report was reviewed. No additional comments.
2. Finance Director: Whittaker’s report was reviewed.  He stated that Morgan Stanley, who is holding CD assets of the Township, is getting out of the municipal market. Manager Kelch had directed the Finance Director to do a RFP for investment services relating to the assets held by Morgan Stanley.  An RFP was sent out to five banks and the rates for investment fees came back between 0.15-0.25 basis points. Orrstown Bank presented an RFP without any fees being charged to the Township. Finance Director Whittaker made a recommendation to the Board of Supervisors to accept the RFP proposed by Orrstown Bank. Motion was made to allow the Finance Director to transfer the assets from Morgan Stanley to Orrstown Bank and designate Manager Kelch and Finance Director Whittaker to be authorized assignees on the accounts.

MOTION: R. Hickey

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. Fire Chief: Chief Laughman’s report was reviewed. He thanked participating board members and staff for representing the Township at the March 3rd Emergency Services Appreciation Banquet. He also noted that the new marquee at Shiloh Fire Company is being displayed and they look forward to the many uses of it.
2. Police Chief: Police Chief Snyder’s report was reviewed. Chairperson Hickey thanked Chief Snyder for his diversity work. No additional comments.
3. Manager: Manager Kelch’s report was reviewed. He stated that the Township received a settlement letter from Integrated Risk Management regarding the 2017 legal case at Loman Park. Motion was made to designate Manager Kelch as the appointee to proceed with finalizing the settlement.

MOTION: S. Harlacher

SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

1. Engineer: Engineer Wilson’s report was reviewed. No additional comments.
2. Zoning Officer: The Zoning report was reviewed. No additional comments.

1. Solicitor: Solicitor Herrold’s report was reviewed. No additional comments.
2. Public Works Director: Callahan’s report was reviewed. No additional comments.

**STORM WATER MANAGEMENT/MS4**:

Zoning Officer Sampere noted, during her report, that the Township’s MS4 Storm Water Inspector is available Monday thru Friday, 8 am to 4:30 pm to answer any questions relating to storm water management.

#### APPROVAL OF BILLS

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

**Fund** **Check No.** **Amount**

Warrant 19-03 Fund 01 27100 - 27249 $ 787,431.47

WMT Sewer Fund 3916-3942 $ 45,978.94

Liquid Fuels 662-678 $ 25,396.31

Payroll 05: Pay Pd. Ending 03/02/19 Paytime Vouchers $ 165,914.95

Payroll 06: Pay Pd. Ending 03/16/19 Paytime Vouchers $ 165,779.15

MOTION: D. Markel

SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

**ADJOURNMENT**

Motion to adjourn the regular meeting at 8:02 pm

MOTION: S. Harlacher

SECOND: R. Hickey

MOTION PASSED UNANIMOUSLY

Respectfully Submitted,

Kelly K. Kelch, Secretary

Trish Smeltzer/Stenographer

MOTION TO APPROVE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SECOND: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_