##### PUBLIC MEETING MINUTES

October 25, 2018

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

**ATTENDANCE**

Supervisors Present: Dave Markel, Chairman

Steve J. Harlacher, Supervisor

Supervisor Absent: Rosa Hickey, Vice Chairperson

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

**PUBLIC COMMENTS**

None

#### APPROVAL OF MINUTES

1. The minutes of the September 27, 2018 Public Hearing Meeting were presented for approval. Motion to approve the minutes of the September 27, 2018 Public Hearing Meeting as presented.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. The minutes of the September 27, 2018 regular Public Meeting were presented for approval. Motion to approve the minutes of the September 27, 2018 regular Public Meeting as presented.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

#### OPEN FLOOR DISCUSSION

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

1. SWEARING IN OF NEW FIRE OFFICERS FOR THE WEST MANCHESTER TOWNSHIP FIRE DEPARTMENT: Motion to approve the following appointments to the West Manchester Township Fire Department:

Deputy Township Chief – David Markle

District Fire Chief of Station 502 – Robert Sells

District Fire Chief of Station 505 – Roy Gentzler

Captain of Station 502 – William Lawver

Captain of Station 505 – Charles Givens

Lieutenant of Station 502 – Joshua Markle

Lieutenant of Station 505 – Nicholas Mann

Lieutenant of Station 505 – Robert Neal

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

Following the appointments, the officers were sworn in by Judge Albright and then presented with an award by Chief Laughman.

1. BAE SYSTEMS UPDATE: John Tile, Site Executive, and Mike Auman, Facilities Manager, gave a brief business update on BAE Systems. They noted that BAE will be adding 200-400 employees in the next few years running three shifts. They just wanted to introduce themselves and start a relationship with the township as they proceed with upcoming changes at BAE. They made it clear that they want to be informed of any issues that may arise in the future and they want to work with the township in resolving those issues.
2. ORDINANCE 18-08 FIREWORKS ORDINANCE: Motion to approve Ordinance 18-08, amending Chapter 71 of the West Manchester Township Zoning Codes. Manager Kelch noted it has been properly advertised and is ready for adoption.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. ROAD CLOSURE RATIFICATION: Motion to approve a previous road closure for the Berkshire Hathaway Realty 5K Run for the Sun Race which was held on October 6th at Kenneth Road, which closed the road from 8:55am - 9:05am for the start of the race and then from 9:15am - 10:00am for the remainder of the race. Trolley Road was also closed from 8:55am - 9:20am.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. 2019 STRAY ANIMAL HOUSING AGREEMENT: Motion to approve a request to enter into an agreement with the SPCA for stray animal housing at a cost of $9,447.00 for 2019, which is the same cost as 2018.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. T-837 FINAL SUBDIVISION PLAN: Motion to approve a Final Subdivision Plan for Bickel’s Snack Foods, located at 1120 Zinn’s Quarry Road, to combine five (5) lots in the I-2 Light Industrial Zone (17.276 acres). Grant Anderson with Site Design Concepts presented the requested and answered questions from the Board and staff. Manager Kelch asked if they received the outstanding conditions and waivers and asked if they have any issues with those conditions/waivers. Mr. Anderson said they do not have any issues with them.

***Outstanding Comments:***

Zoning Ordinance (ZO):

1. Multiple permitted uses may be located in one building located on one lot of land.  (§150-182)   What is the proposed use for the buildings labeled “DCS School of Driving” on lot 212B?  Are they being demolished?  ***Township staff received a copy of a letter from Bickel’s in-house attorney giving notice to DCS Driving School that their month-to-month lease has been terminated.  The buildings labeled “DCS School of Driving” shall be labeled “Existing Building”.***

***General Comments:***

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 lot and recorded with the plan so that the County Tax Map is changed.

***The following Waiver requests were granted:***

W1.  Existing contours at a minimum vertical interval of two feet (2’).  (SLDO:  121-14.C.1)

W2.  Existing features within 200’ of the property.  (SLDO:  121-14.C.3)

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. T-838 FINAL LAND DEVELOPMENT PLAN: Motion to approve a Final Land Development Plan proposing a building expansion for Bickel’s Snack Foods located at 1120 Zinn’s Quarry Road in the I-2 Light Industrial Zone (45,000 square feet building expansion) on a 17.276 acre parcel.

***Outstanding Comments:***

Zoning Ordinance (ZO):

1. Multiple permitted uses may be located in one building located on one lot of land.  (§150-182).  ***Township staff received a copy of a letter from Bickel’s in-house attorney giving notice to DCS Driving School that their month-to-month lease has been terminated.***
   1. An agreement between Bickel’s Snack Foods and West Manchester Township must be approved by the Township’s Solicitor regarding the second use on the lot being removed within six (6) months of the date of the certified letter of lease termination for DCS School of Driving, a variance is granted by the Zoning Hearing Board permitting two (2) uses on one lot in separate buildings or an alternate interpretation of the Zoning Ordinance is given by the Zoning Officer.  ***At the Board of Supervisors’ meeting, the applicant agreed that no certificate of occupancy will be issued unless these conditions are met.***

**General Comments:**

1. All administrative items shall be addressed prior to plan recording (payment of all invoices)
2. All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)

**The following waiver requests were granted:**

W1. Preliminary Plan. (SLDO: 121-9)

W2. Existing contours at a minimum vertical interval of two feet (2’).  (SLDO:  121-14.C.1)

W3. Provide all existing features within 200’ of the property.  (SLDO:  121-14.C.3)

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. T-829 FINAL LAND DEVELOPMENT PLAN SURETY REDUCTION: Motion to approve a request from Frontier Development at 1401 Kenneth Road to reduce the original surety amount of $147,251.00 by $125,163.35 – retaining $22,087.65 for a required maintenance guaranty. A letter from the Township Engineer is on file supporting this request.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. HEART & LUNG REQUEST: Motion to approve a request from Staff for one of the Police Officer’s shoulder surgery to be covered under the Heart & Lung Act since the injury was in the line of duty earlier this Spring.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. PENNS PRESERVE SETTLEMENT AGREEMENT: Motion to approve the terms of the Settlement Agreement with Penns Preserve, and to authorize the Township Manager to execute the same, and to authorize the Township Manager to take other such actions as are necessary to resolve the claim.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. COUNTY OF YORK RADIO EQUIPMENT AGREEMENT: Motion to approve the terms of the revised Radio Agreement with extended warranties on the radios as outlined in the Agreement.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

### ADMINISTRATIVE REPORTS

1. Recreation Director: Trimmer’s report was reviewed. Rec. Director Trimmer advised that Normandie Ridge will be receiving a grant check for their Senior Nature Trail followed by a ceremony on November 16th. The check presentation starts at 11:30am. She noted that she and Rec. Assistant, Kristi Swartz, will be present and they extended an invitation to the Board members.
2. Finance Director: Whittaker’s report was reviewed. No additional comments.
3. Fire Chief: Chief Laughman’s report was reviewed. He congratulated all the appointed officers from tonight’s awards. No additional comments.
4. Police Chief: Chief Snyder’s report was reviewed.

* He complimented the Fire Department on a great working relationship with the Police Department during the York Fair to make it a success.
* He advised that two police officers will be taking classes and becoming certified as Child Safety Seat specialists.
* He mentioned that the Police Department will be implementing a Mentoring Program called TEAM in January, where they will educate pre-teens on drugs, alcohol, bullying, and other challenges.

1. Manager: Manager Kelch’s report was reviewed.
2. Manager Kelch received a memo from Sergeant Emig regarding Police excess property that is estimated to be worth under $2,000. They would like to request authorization to dispose of that property by way of sealed bids. Motion to authorize disposing of Police Department excess property under $2,000 by sealed bids.

MOTION: S. Harlacher

SECOND: D. Markel

MOTION PASSED UNANIMOUSLY

1. Manager Kelch received an invoice from Maher Duessel for Auditor services for 2018. Motion to approve the advertisement of Maher Duessel, CPA’s, to prepare the 2018 audit report and financial statement in place of the elected Board of Auditors.

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. Manager Kelch announced that the Township and the Public Works Department have agreed upon a Collective Bargaining agreement and the agreement will need ratified. Motion to ratify the previously approved Collective Bargaining agreement.

MOTION: D. Markel

SECONDED: S. Harlacher

MOTION PASSED UNANIMOUSLY

1. Manager Kelch noted that a number of residents are delinquent with their sewer/trash accounts. The Township does not have the authority or ability to stop water or trash service. Staff recommends authorizing a Service Agreement. Motion to authorize a Service Agreement with the Collection Bureau of York conditioned upon the Solicitor’s approval.

MOTION: S. Harlacher

SECOND: D. Markel

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 18-10 Fund 01 26417 - 26551 $ 1,257,076.42

WMT Sewer Fund 3739-3777 $ 645,422.38

Liquid Fuels 569-585 $ 6,931.55

Payroll 20: Pay Pd. Ending 09/29/18 Paytime Vouchers $ 157,387.04

Payroll 21: Pay Pd. Ending 10/13/18 Paytime Vouchers $ 169,758.34

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

**ADJOURNMENT**

Motion to adjourn the regular meeting at 7:40 pm

MOTION: D. Markel

SECOND: S. Harlacher

MOTION PASSED UNANIMOUSLY

Respectfully Submitted,

Kelly K. Kelch, Secretary

Tricia Smeltzer/Stenographer

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

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

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