

PUBLIC BOARD MEETING MINUTES

February 27, 2025

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

ATTENDANCE:

Supervisors Present:	Steven Harlacher – Chairman Ron Ruman – Vice Chairman George Margetas – Supervisor
Staff Present:	Lori Trimmer – Parks & Recreation Keith Whittaker – Finance Director Clif Laughman – Fire Chief John Snyder – Police Chief Kelly Kelch – Township Manager Rainer Niederoest - Engineer Rachelle Sampere – Zoning & Codes Andrew Herrold – Solicitor Rich Shaw- Public Works Laura Mummert – Stenographer

CALL TO ORDER:

A. The Pledge of Allegiance was recited.

EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held before the evenings meeting to discuss personnel matters.

PUBLIC COMMENT:

- A. Mr. Jason Blasso, 210 North Williams Street, addressed the Board with his concerns with the recent increase to the sewer and trash bill. Manager Kelch explained the reasoning behind the increases. Mr. Blasso asked why he had to pay the full amount as a single person compared to a home with a larger family. Manager Kelch explained that it's one set price for all residential customers at a certain consumption rate, and only if you go over that will you be charged more.
- B. Mr. Keith Shearer, 500 Bairs Road, came to follow-up from his request to the Board to consider re-zoning his property during the Comprehensive Plan Update from the current zone of agricultural to residential or industrial. He asked if any discussion had

taken place regarding this, or building a wastewater treatment plant for sewer at Bairs Station. Manager Kelch explained that he isn't aware of any discussion for rezoning this area specifically, and that the comprehensive plan is still being worked on. He also explained that bringing sewer to Bairs Station is through a different document, and when that plan is updated will look at options then.

APPROVAL OF MINUTES:

- A. The minutes of the January 23, 2025, Public Meeting were provided for approval. Motion to approve the Public Meeting Minutes of January 23, 2025, as presented.

MOTION: G. Margetas
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

OPEN FLOOR DISCUSSION:

None

OLD BUSINESS:

- A. T-899 FINAL LAND DEVELOPMENT PLAN FOR SHEETZ #255 REBUILD:
Motion to approve a final land development plan at the request of the applicant depicting the proposed demolition of the existing Sheetz store and canopies and the construction of a 6,139 square foot Sheetz store with 10 fueling positions, required parking spaces, and drive-thru facility located at 1484 Carlisle Road (Tax Map: 07; Parcel: 0138) in the Highway Commercial and R-3 Residential Zones. The land development plan includes sewer planning module exemption mailer proposing one (1) additional EDU for the development and a public improvements financial security estimate in the amount of \$1,002,716.18. Dawood Engineers has reviewed the financial security estimate and recommends \$1,317,356.66. At the meeting the Board voted to approve this plan subject to the following conditions being addressed prior to recording the plan:

Zoning Ordinance:

1.	§150-283.B Permitted Permanent Signs. .. No indication of the permanent store signage can be found on sheet LD-04 or subsequent sheets. Previously it was requested that the signage the applicant intends to install at this location be provided. A set of plans showing the intended signage has been provided. <ul style="list-style-type: none">a. Provide the wall area calculation of the main building. Sheet A200, Exterior Elevations, does not show how the wall area was calculated. Provide this calculation. (Dawood Review Memo 3/6/2025)
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Subdivision and Land Development Ordinance (SLDO):

1.	<p><i>§121-14.B.10 & §121-15.B A statement on the plan identifying any existing waivers. Please list all existing waivers on the Cover sheet of the plan. (Previously recorded plan June 15, 1998)</i></p> <ul style="list-style-type: none"> • <i>§42-8B Allow Commercial traffic through residential area.</i> • <i>§42-8 Number of access drives – Allow 3 Please revise the Title sheet to include the letter F. (Twp Comment Memo 12/19/2024)</i> • <i>§42-8E Allow access drives in separate zone.</i> • <i>§42-9A Allow entrance onto a major collector road within 300' of intersecting street lines</i> • <i>§42-9C Allow two access drives separated by less than 300'.</i> • <i>§121-14 Preliminary Plan</i> • <i>§121-25 Omit sidewalks along Brougher Lane and Charlisle Road. Please revise the Title Sheet to address the misspelling of Carlisle Road</i>
2.	<p><i>§121-14.D.14 & §121-15.D A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waiver.</i></p>
3.	<p><i>§121-14.E.2 & §121-15.E A sewer facilities plan revision module for land development in accordance with the Pennsylvania Sewerage Facilities Act 537 of 1966, as amended. Please provide West Manchester Township with a copy of PA DEP's approval letter prior to recording the plan.</i></p>
4.	<p><i>§121-14.F.1 Impact statements. Transportation. The developer's designer has furnished a traffic generation summary. When supplying the previous memo, Dawood had not completed its review of this item and will provide additional comments as soon as practicable. Dawood's review of the traffic generation summary is included in the Adjustments to the Plans section of this memo. (Dawood Review Memo 12/10/2024)</i></p>
5.	<p><i>§121-17 Financial Security. Final plan applications that include public improvements that have not been installed shall include financial security... The amount of financial security shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. The Applicant's Engineer has submitted public improvements estimate for review. The West Manchester Township Board of Supervisors approved the recommended financial security estimate of \$1,317,356.66 for the project. Financial security must be posted with West Manchester Township prior to the plan being released for recording. West Manchester Township prefers that any letter of credit issued to the Township be automatically extending.</i></p>
6.	<p><i>§121-17.D ...Upon approval by the Board of Supervisors of a final plan, the applicant, in addition to all bonds or other security required, shall deliver to the Township a check payable to the Township in the amount of 3.5% of the bond or other security. The amount deposited by the applicant shall be used by the Township to cover the costs of assuring the proper construction and completion of improvements, including inspection during installation, inspection upon completion, administrative costs and other related</i></p>

	<p><i>costs. If the amount deposited by the applicant is not sufficient to cover such costs, the applicant shall furnish additional amounts, from time to time, when notified to do so. Engineering escrow will be required to be posted with the Township prior to the plan being released for recording. Please provide an engineering escrow check to West Manchester Township in the amount of \$46,107.48.</i></p>
7.	<p><i>§121-19 Maintenance Guaranty. The Board of Supervisors shall require the applicant to submit a maintenance guaranty or other approved guaranty as specified herein guaranteeing the structural integrity as well as function of any improvement shown on the final plan for a term not to exceed 18 months from the date of acceptance of dedication by the Board of Supervisors. Said guaranty shall not exceed 15% of the actual cost of installation of said improvements and be of the same type of financial security as required in this article.</i></p>
8.	<p><i>§121-21 As-built plan. Prior to issuance of occupancy permits, submit 2 copies of the as-built plans to the Township Zoning Department. One (1) copy of the plan will be distributed to the Township Engineer. Upon completion of all required improvements, provide as-built plans. (Dawood Review Memo #1) Noted by Applicant’s Engineer on Plan Sheet LD-01 Note #12.</i></p>
9.	<p><i>§121-25 Sidewalks and curbs. Sidewalk and curb is required along the property frontage. A waiver has been requested to not require sidewalks along the frontage of the entire property as there is no new street proposed. Previously, Dawood indicated that it does not support the requested waiver of this section. Neglecting the nearest sidewalk location, Dawood indicated we observed pedestrians walking in the shoulders of Rt 74. There are also crosswalks at the intersection of Brougher Lane and Rt 74. Providing a sidewalk at this location will be protective of public safety and we believe it to be in the best interest of the Township. During the November 12, 2024, Planning Commission meeting, FCE pointed out that the shoulder of Rt 74 extends all the way to the box culvert for the stormwater swale that passes under the Rt 74 to the east of the site. Were sidewalk extended along the frontage on Rt 74, Sheetz would be directing pedestrians unsafely onto the shoulder of Rt 74. Dawood conceded that that was not safe. Dawood recommends requiring sidewalk along the Brougher Lane frontage to the crosswalks at the intersection of Brougher Lane and Rt 74 and to the interior of the site. (Dawood Review Memo 3/6/2025)</i></p>
10.	<p><i>§121-34.A When the Board of Supervisors, in accordance with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, [1] determines the necessity for a sewer facilities plan revision (plan module for land development) or supplement, the Board of Supervisors shall require that notice of approval from the Pennsylvania Department of Environmental Resources be submitted as a condition of final plan approval. A sewage planning mailer has been reviewed and is acceptable to forward to PA DEP. Please provide a copy of PA DEP’s approval letter to West Manchester Township prior to recording the plan.</i></p>

Stormwater Management Ordinance Comments:

1.	<i>§113-18.E.5 A soil erosion and sediment control plan, where applicable, as prepared for, reviewed and approved by the York County Conservation District. Provide an approval letter from the York County Conservation District for the soil erosion and sediment control plan. This comment has been acknowledged. (Dawood Review Memo 12/10/2024)</i>
2.	<i>§113-18.E.11 A notarized signature of the owner of the parcel for which the SWM site plan is proposed indicating that they are aware of and will be responsible for operation and maintenance of the facilities. Provide the notarized signature of the owner indicating they are aware of and will be responsible for operation and maintenance of the stormwater management facilities on the plan. Provide the signed and sealed certification prior to final approval. (Dawood Review Memo 12/10/2024)</i>
3.	<i>§113-25 As-built plans; completion certificate; final inspection. After construction, provide as-built plans and certification of the SWM BMPs included in the approved plan. (Dawood Review Memo 12/10/2024)</i>
4.	<i>§113-27 Operation and maintenance agreements. Prior to final approval of the plan, prepare and record and O&M agreement. (Dawood Review Memo 12/10/2024)</i>

Adjustments to the Plans:

Dawood believes several recommendations for improving the plans are warranted. Some of these will correct errors or internal inconsistencies. The rest are consistent §121-22 which states, “the standards and requirements contained in this article shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply”.

1.	Previously, Dawood commented that calculations indicating the capacity of the proposed realigned sanitary sewer be provided. As presented, the sewer capacity calculation provided are incorrect. The bulk velocities for the existing and proposed pipes appear close to expected, but flow capacities in the report entitled “Capacity Details” do not correspond to flows at the same velocity in pipes of the diameter shown. Since the FCE’s response letter refers to flow capacity in gallons per minute, the last column in the “Capacity Details” report may be mislabeled as gallons per day. Also, Dawood does not recommend the Township accept a 7% decrease in capacity for this sewer main.
2.	FCE has not revised the Traffic Generation Summary. Since this facility is proposed to be rebuilt, more accurate trip generation information is available for the existing site. Provide current turning movement counts for each driveway to determine the observed volumes for this site. Utilize these values in the trip generation comparison. The text provided in FCE’s response letter, no matter how reasonable it sound, does not directly resolve this comment, does not

	provide the counts, and references fuels pump transaction data from Sheetz that has also not been provided. Also, fuels pump transactions for less than a year would not be acceptable evidence. Dawood Review Memo 3/6/2025)
3.	FCE has not revised the Traffic Generation Summary. The text provided in FCE's response letter does not provide observations. Once the observed trip generation has been recorded, the engineer should determine whether a local trip generation rate or ITE would be most appropriate. (Dawood Review Memo 3/6/2025)
4.	Previously Dawood indicated that if ITE rates for Land Use code 945 are utilized, apply the fueling station sub-category with square footage as the independent variable in all analyses. FCE has not revised the Traffic Generation Summary accordingly. Also, with regard to this comment, FCE's response letter indicates, "As stated, the average transactions in store for both fuel and store equated to 1804 total transactions." The only place in which this is stated is in FCE's response letter to WMT. This is corroborated by no other evidence. If Sheetz wishes Dawood to sign a nondisclosure agreement to provide the supporting evidence, that can be discussed. (Dawood Review Memo 3/6/2025)

General Comments:

1.	An Operation and Maintenance agreement is required prior to recording the plan. All signatures must be notarized.
2.	The notarized signature of the owner(s) shall be affixed to the plan prior to approval by the Board of Supervisors (§121-15.F.4) (Dawood Review Memo #1)
3.	All administrative items shall be addressed prior to plan recording (payment of all invoices, etc.)
4.	All final plans, as recorded, shall be submitted in electronic format (i.e. PDF)

The Board of Supervisors granted the following waivers:

W1.	Preliminary Plan. (§121-9) Which requires the submission of a preliminary plan application and approval prior to the submission of a final plan application.
W2.	Existing Features. (§121-14.C.3 & §121-15.C) Which requires the location and name of existing rights-of-way and cartways for streets, access drives, driveways and service streets to be depicted and labeled on the plan when located within 200 feet of the subject property.
W3.	Sidewalks and Curbs. (§121-25) Which requires sidewalks shall be provided along the frontage of the entire property.

MOTION: S. Harlacher

SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY

NEW BUSINESS:

- A. REVISION TO 2025 FEE SCHEDULE TO AMEND THE CURRENT STORMWATER RECORDING FEE: Motion to approve a request from the Zoning Department to revise the current fee schedule to amend the current Stormwater Recording Fee from \$35.00 to \$45.00 in accordance with the fees being charged by the Recorder of Deeds Office for the service.

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

- B. ROAD CLOSURE: Motion to ratify a road closure that took place on January 30th, 2025, on West Philadelphia Street between North Diamon Street and North Clinton Street for water main replacement.

MOTION: G. Margetas
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- C. ROAD CLOSURE: Motion to ratify a road closure that took place on February 24th and 25th, 2025, for a water main repair and replacement. This closure occurred on Oxford Street from West Philadelphia Street to West Market Street.

MOTION: G. Margetas
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- D. REQUEST TO SELL EXCESS TOWNSHIP EQUIPMENT: Motion to approve a request from the police department to sell two (2) decommissioned police vehicles that will be sold through auction to the highest bidder.

MOTION: R. Ruman
SECOND: G. Margetas
MOTION PASSED UNANIMOUSLY

- E. RESOLUTION 25-07 DESTRUCTION OF RECORDS: Motion to approve Resolution 25-07, a request from the Finance, Fire, and Police departments to destroy records under the provisions of the Pennsylvania Records Retention Act. A list of records to be destroyed has been provided to the Board.

MOTION: G. Margetas
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- F. RESOLUTION 25-08 AMENDMENT TO THE 2024 BUDGET: Motion to approve Resolution 25-08, amendment to the 2024 General Fund budget to more accurately reflect the needs of the Township. Director Whittaker provided the Board with the Resolution and an attachment supporting the budget revisions for their review.

MOTION: R. Ruman
SECOND: G. Margetas
MOTION PASSED UNANIMOUSLY

- G. PART-TIME RATE INCREASE: Motion to ratify an hourly rate increase for an existing part-time administrative employee position from \$18.49 to \$19.00 per hour.

MOTION: S. Harlacher
SECOND: G. Margetas
MOTION PASSED UNANIMOUSLY

- H. HVAC MAINTENANCE AGREEMENT: Motion to approve renewing the HVAC Preventative Maintenance Agreement with HB McClure for a period of one (1) year. The total cost would be \$8,913.00 and would include HVAC and Controls.

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

- I. APPLICATION FOR PAYMENT: Motion to approve application for payment #8 from CSL Services, Inc. for the 2023 Wastewater, Infiltration, and Inflow Monitoring study. The requested payment is \$19,800.00.

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

- J. APPLICATION FOR PAYMENT: Motion to approve application for payment #2 from E.K. Services, Inc. for the West Market Street Pump Station upgrades. The requested payment amount is \$15,462.60.

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

ADMINISTRATIVE REPORTS:

- A. RECREATION DIRECTOR: Director Trimmer’s report was reviewed. Trimmer announced that the gift card bingo coming up in March has been sold out. No further questions.
- B. FINANCE DIRECTOR: Director Whittaker’s report was reviewed. Whittaker announced that the preliminary results of the audit went well and we should have results in May or June. 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 Margetas commended all law enforcement for their job handling the active shooter incident at UPMC. Supervisor Harlacher also thanked fire and EMS personnel as well. No further questions.
- E. TOWNSHIP MANAGER: Manager Kelch’s report was reviewed. Kelch thanked all emergency personnel for their job on the active shooter at UPMC. Manager Kelch also announced the Township was awarded a grant to use towards updating the Township 537 Plan. No further questions.
- F. ENGINEER: Engineer Niederoest report was reviewed. Engineer Niederoest announced that there was less rock than anticipated in digging over at Taxville Road and Baker Road for the sewer extension. This will help save money for this project. 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. Chairman Harlacher asked an anticipated time table for completion on the Sunset Lane Park project. Director Shaw said that the project itself would soon be completed, dependent on the weather. However, restoration to that area will go into spring time to complete. No further questions.

STORMWATER MANAGEMENT/MS4

Zoning Officer Sampere noted that the Township’s MS4 Storm Water Inspector is available Monday through 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	36481-36646	\$ 1,247,751.89
Liquid Fuels	1601-1642	\$ 73,827.51
Sewer Fund	6405-6443	\$ 106,165.03
Payroll #3 Pay Ending 01/25/25	Paytime Vouchers	\$ 142,384.37
Payroll #4 Pay Ending 02/08/25	Paytime Vouchers	\$ 131,197.98

Payroll#5 Pay Ending 02/22/25 Paytime Vouchers \$ 139,577.36

MOTION: R. Ruman
SECOND: G. Margetas
MOTION PASSED UNANIMOUSLY

ADJOURNMENT:

Motion to adjourn the meeting at 7:40 p.m.

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