

MANCHESTER BOROUGH MEETING MINUTES

225 S. MAIN STREET MANCHESTER, PA 17345

May 08, 2023

- President Wade Witt called the meeting to order at 7:00 P.M. and led with the Pledge of Allegiance
- Roll call was performed and the following officials were present:

Adam Bowman (Absent)

Mike Jackson

Ryan Neely

Wendy Snyder

Mike Stahle

Wade Witt

Larry Weirich

Joseph Paniagua (Absent)

Solicitor Beth Kern

Engineer John Rea

Mayor Patricia Witt

Approval of Agenda/Minutes

- Ryan Neely noted a change to April 10, 2023, meeting minutes public comments for Chief Joe Stevens and the date of the shrimp feed. Change from March 00, 2023, to March 19, 2023.
- A motion was made by Ryan Neely to approve the April 10, 2023, minutes as presented. Larry Weirich seconded the motion and the motion carried.

Appoint new council

- Eric Gimbi resignation acceptance
- Ryan Neely motioned to adopt resolution 2023-08 appointing Michael Jackson as a member of Borough Council. Larry Weirich seconded the motion and the motion carried.
- Michael Jackson was given the oath by Mayor Patricia Witt.
- Solicitor Beth Kern explained to Michael Jackson the term for the seat on council he was just accepted for.

Fire Company: Chief Joe Stevens

- Chief Joe Stevens reported 29 calls, \$0 loss, and 0 Injuries.
- Union Fire Co. Fundraiser Rib BBQ sale will be held on June 17th, 2023, at Giant in Manchester.
- Union Fire Co. thanks the Borough Council for the donation.

Public Comments/Guests:

- Judy Hilliard – Sewer Authority made some improvements to Manhaven, and this will be discussed by Engineer John Rea in his report.
- Wade asked Judy if the banners that were put up for the 150th Anniversary should be taken down and given to those who purchased them due to damage. Judy agreed this would be the best action to take. The council agreed.
- Wade thanked Judy for her support and being our representative at the Sewer Authority.

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Treasurer's Report: Wendy Snyder

- The General Checking Account (M & T Bank) starting balance was \$268,995.92. Receipts for the month of April 2023 were \$58,334.32, Disbursements were \$154,794.29 leaving a total of \$268,995.92 in the account. Members 1st Bank Money Market Account \$100,159.17 The PLIGIT accounts were also reviewed for the month of April 2023.
- Wade asked Solicitor Beth Kern if we are drawing higher interest on our liquid fuels account, about \$1,000 a month, would this be okay as our auditor stated we are not to make money. Beth stated to the deferred advice of the auditor, as it is more of an auditor question rather than a legal question.
- Wade made mention previously of approved bills being paid online. Wendy noted that she paid Met Ed, and Rutter's were paid online, however we do not have a current Sheetz or Columbia Gas bill to pay online.
- Beth drafted 2 versions of Resolution 2023-07 Authorizing payment of certain regular operating disbursements that may become due and payable prior to Borough Council official review and approval for council's review. One is drafted broadly, so that if the Borough would change electric or internet providers, the resolution would not need to be changed. The other is drafted to not exceed \$2,000 per line item, per month. If this is not an appropriate amount there has been a resolution drafted in which the total could be written in. Beth advised there be a threshold amount approved by Council to not be exceeded for payment. Wendy stated the electric threshold will need to be more than \$2,000 due to all of the monthly bills.
 - Larry Weirich motioned to approve the April 2023 account balances as read and presented. Ryan Neely seconded the motion and the motion carried.
 - Mike Stahle motioned to approve and pay the April 2023 bills as read and presented. Ryan Neely seconded the motion and the motion carried.
 - Ryan Neely motioned to adopt Resolution 2023-07, to increase Met Ed threshold amount to \$3,500 and to include Columbia Gas. Michael Jackson seconded the motion and the motion carried.

Mayor's Report: Patricia Witt

- Police Reports are included in your packets.
- The permit for the Memorial Day Parade has been approved by PennDOT and has been received.
- Citizen Complaint in regard to Liverpool Street and the storm drains. John Rea to speak on this.

Engineer's Report: John Rea

- 2023 Street Maintenance – Received pricing back from 3 quotes for both cracked sealing, and patching projects. C.S. Davidson Inc. bid out 7,000 lbs. for the cracked sealing. Russell Standard and Stewart & Tate both bid at \$2.47. H&H came back with a very high quote. Russell Standard has completed the cracked sealing last year for the Borough and have done a good job. C.S. Davidson Inc. bid out for \$124/sq yd estimated for 100 sq yds to be complete. At a price of \$12,400 C.S. Davidson Inc. would recommend H&H to perform the work.

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- A motion was made by Ryan Neely to award Russell Standard with the cracked sealing bid. Mike Stahle seconded the motion, and the motion carried.
 - A motion was made by Larry Weirich to award H&H General Excavating with the repair and patch work bid. Ryan Neely seconded the motion, and the motion carried.
- Ordinance Review & Update – Draft markup of degradation ordinance provided for review to Wade and Tiffany. Tiffany asked for further assistance with the fee structure. John stated he would assist in setting up a form to make it easy for the contractors and the Borough. Beth would like to ensure Borough Council agrees with the language as presented, so it can be converted into the ordinance style that amends and replaces the appropriate part of the code book. There are items noted that will need to be cleaned up with detail such as “The Police Department with jurisdiction over the Borough” are clarified to be the Police that has the authority to stop work or the place they can be called. York County Regional Police Department. Also, similarly where it states getting the permit from the Borough secretary, you would want it to state from the Borough in order to let the business flow without having an ordinance change in the future. Beth recommends that a bond section be included in detail. The borough should include this to hold the contractors accountable for their work. Beth would like to know if the 5-day timeline to issue a permit is feasible. Tiffany did agree that this is feasible and works well for the issuing of the permit, however, suggests that the term be changed from working days to business days. In the emergency permit section, it calls for the person performing the work to get a permit within the 5-day time limit after the work is done. Beth recommends that it be a shorter time frame within a 72-hour window. Tiffany states that 48 hours from the point of emergency they need to pick up their permit from the Borough. Tiffany made mention that the H.O.P application form is being copied and sent to the Borough without it being the latest update. It is suggested if they send in the old form send back and include the new form and communicate that it will not be accepted until the new form is completed.
- CDBG Main Street ADA Curb Ramps – The surveyor work is completed, and H.O. P’s will be submitted. The YCPC documents are completed, sent to Tiffany and Tiffany provided back to the YCPC. With the council’s permission C.S. Davidson Inc. would like to be set up in the ECMS system (PennDOT online system) as a permitted applicant for the Borough. This will allow C.S. Davidson Inc. to submit the drawings and submit for a permit that they are authorized to work on as an authorized user for the Borough. This will also eliminate shuffling paperwork back and forth from the secretary to C.S. Davidson Inc and directly to PennDOT. Beth recommends a resolution memorializing authorizing C.S. Davidson Inc. to be authorized to enter the information on the ECMS system on behalf of the Borough. Wade asked how the information that was submitted to the ECMS would be communicated to the Borough. John stated the month they will be submitted to the ECMS, the following month at the Borough council meeting it would be on the engineering report and discussed. This will be the same cost and no added expense to the Borough. Beth suggested this resolution to be drafted by Tiffany with Beth’s support in order to train and teach written resolutions. John stated that there will be a representative from C.S. Davidson Inc. reaching out to Tiffany with instructions on how to enter information in the ECMS system. Tiffany to use and test the instructions and provide feedback.

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- NEYSCA Sewer Work – Fenwick/Malvern and Manhaven Drive final pavement restoration is completed. Mike Jackson asked who inspects the final paving work. Tiffany informed that she was training to do these inspections. There are things that could be looked at during the paving process. Judy stated for Manhaven and Main St. there is still a depression in the road. John said that they did not get a permit to complete this as they did not want to spend the money in order to repair such a small area. The H.O.P was not submitted yet for the CDBG work and the depression fix could be included in this H.O.P before it is sent in with Council's approval. John will check with H&H to see if they will hold their price for another 10-15 yds for the depression repair. A rough estimate of any extra cost would be about \$2,000. John received the council's approval to ask H&H if they would hold their price and include repair of the depression as well as include it on the H.O.P. This is liquid fuels eligible.
- Stormwater inlets on Liverpool Street. It was reported by Patty to John that they are in very poor condition. John did stop and review on 05/03/2023. One is located at Elizabeth Lane and Liverpool St. and the other is directly across from Elizabeth Lane. John did find the original development plans and reviewed them. The boxes that are made of brick and block construction have failed in multiple areas. The grates are slowly falling into the street. The street will start to press around the inlet. John does not see this as an emergency situation but does not feel that it presents to be a safety concern. Wade asked if it would be advantageous to run a camera through pipe under the street to see what shape it is in or should we just change it out. John cautioned the removal of the grate as it will not go back in and cause irreparable damage during the inspection phase, however they could use the camera to inspect. The council discussed options for repair and replacement. John stated that when the council is ready, if they wish, they can authorize C.S. Davidson to put a design package together that is grant ready. Beth stated that ARPA funds could be used for this project for the professional services of C.S. Davidson.
 - A motion was made by Michael Jackson to authorize C.S. Davidson to prepare plans for grant application purposes using ARPA funds. Ryan Neely seconded the motion and the motion carried.
- Speeding in the alley's citizen complaint – Title 75 of the Pennsylvania vehicle code §3362 Maximum speed limits. If there are no signs there are speed limits to follow. The Borough can legally post speed limit signs in the alleys if they wish per the vehicle code for the 25 MPH without an engineering study or traffic study. If the Borough would like to reduce this speed in the future a study will need to be completed before changing.
- John asked the question the status of the Musser Street/Main Street Light pole hit by Werner trucking. Patty gave the details to John.
- CSD Revolution Ballgame – in the box – Revised to Tuesday, June 13

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Zoning Report:

- 229 South Main Street – Request for zoning information.
- 121 North Main Street – Construction without a permit. Still working to determine.
- 207 High Street – Junk in yard and fence without permit. Warning letter sent 04/20/2023. Recommended that this be turned over to the solicitor for legal action, if there are no improvements made by the 30-day notice. Will be reviewed on June 12th at the Council Meeting.
- 222 North Liverpool Street – Home business (Auto repair) without approvals. There have been 2 warning letters sent to this property (05/2021, & 04/2023) John recommends if the business does not cease, that this be turned over to the solicitor for legal action. Will be reviewed on June 12th at the Council Meeting.
- 230 Cloverlane Drive – High grass, Junk and dilapidated shed. Warning letter sent 04/26/2023.
- 222 Maple Street – High grass. Warning letter sent 04/26/2023.
- John asked if C.S. Davidson was still allowed to write code violation letters with their letterhead to assist the Borough, or if they should be on Borough letterhead. Beth to review the resolution appointing C.S. Davidson.

Solicitor's Report:

- Item #1 will not be discussed at this time. It will be held at another executive session.
- CGA assisted with the annual ARPA reporting. This was completed and submitted.
- Joint Refuse bidding – It was discussed at the Mt. Wolf Borough meeting. They are in agreement that they do not want to change to anything more than once a weekly pick up. That is what is preferred to bid on the next contract cycle. Beth recommends amending Chapter 123 of the Code to remove the pick-up frequency and other requirements. Beth can begin drafting a proposed ordinance if the council authorizes.
 - A motion was made by Ryan Neely to authorize Beth Kern to draft an ordinance amending the solid waste code for future pick-ups. Mike Stahle seconded the motion and the motion carried.
- Borough Fee Resolution – No update. There will be a more detailed update to report on at the upcoming meetings.
- Regional Emergency Management Agency Update – East Manchester Twp. requested a joint meeting to have initial discussions regarding the formation of a new regional emergency management agency. Manchester Borough, Mt. Wolf Borough and Solicitors attended. Dave Naylor will be acting as the EMC for East Manchester Twp., and Dave Naylor is also the new proposed EMC for the new regional agency. East Manchester Twp. is trying for a FEMA grant in order to make improvements to their building including an Emergency Management Center. East Manchester Twp. is not asking for any additional financial contribution from the Borough's for the capital improvement. They are only asking for equal share contributions for running the agency. East Manchester Twp. have been utilizing township employees transition from the prior agency to the gather information, transfer data etc. and they have been using their own employee work hours to do so. East Manchester Twp is asking for the contribution of Borough staff support. Beth presented a proposed drafted Resolution 2023-06 Authorizing the withdrawal from the 2015 ICA for the Northeastern Area Regional Emergency Management

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Agency. Both Boroughs are still members in the 2015 agreement. To take the next steps to formalize the new emergency management agency the Borough will need to take action to make the withdrawal. Beth Kern did receive the first draft of the new ICA. After Resolution 2023-06 a new Resolution to enter into the new ICA would need to be drawn up. Beth Kern to assist in drafting a letter from the Council President to be sent to Mount Wolf Borough, Conewago Twp., and the County advising of the 30-day notice withdrawing from the 2015 agreement. Council to review the ICA and discuss any proposed changes at the June 12th council meeting.

- A motion to adopt Resolution 2023-06 was made by Ryan Neely. It was seconded by Mike Stahle and the motion carried.

President's Report: Wade Witt

- Racks for the shop – 2 quotes provided. J&J, and Warehouse Rack Kings. Both are local companies. The racks will be physically inspected before purchase.
 - A motion was made by Ryan Neely to spend up to, but no more than \$2,000 on racking for the shop. Mike Stahle seconded the motion and the motion carried.
- Resignations – There were 2 resignations submitted this month. Char Dellinger (crossing guard), and Shane Leader (Crossing Guard/Shop). The Shop will maintain without hiring; however, the personnel committee will need to hire for the crossing guard's position.
- Committees – Joseph Paniagua resigned from the recreation committee. There are 2 volunteers needed. 1 volunteer for the Recreation Committee, and 1 volunteer for the building committee. For the building committee the gazebo is being painted, and the roof needs to be replaced. Currently there are shakers on the roof. A decision is needed by the council to replace the roof with something new or replace the shakers. Michael Jackson to gather 2-3 quotes for the replacement of the gazebo roof. Mike Jackson volunteered for the recreation committee, and the building committee.
- Communications – Ken Cole resignation from the tree committee, and the zoning board. St. Paul United Methodist Church donation thank you letter, WellSpan EMS letter of acquisition.
- Susquehanna Lion's Club Sign – Mount Wolf Borough will discuss possible donation at their council meeting on 05/09/2023. This will be tabled and discussed at the June 12th council meeting.

Park and Recreation Report: Wade Witt

- No Update

Maintenance/Street Report: Gary Cardoso

- April - Removed all v boxes/augers off of trucks. Removed lab and snow blower off of Steiner cab. Move leaf boxes inside the outbuilding.
- May – Paint gazebo at the square, resume curb painting, resume sewer numbering, put flags up on poles and gazebo, put speed limit signs up, pressure wash the outbuilding, and mowing.

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- Patty stated Carol Godfrey has extended her poles further out on her property. It appears that she is encroaching in the right of way of the alley. John stated we will need to find the actual ordinance that was written and adopted that section of the alley/street to determine the actual right of way. Tiffany to find the ordinance and provide it to John Rea.

Unfinished Business

- Traffic Study #15888 – In November 2022 citizen Tom Watkins brought concern with brake retarders in the Borough. Tiffany had looked into the traffic study and was informed that due to the date of the actual study it is no longer available. If the Borough would like to continue, we will need a new traffic study. It was noted by Wade Witt that when Inch and Co. have completed their work the problem should go away. John Rea said that by the time the traffic study is completed, the work would be done in the Borough's from Inch and Co. Beth stated you can send a letter of warning to Inch and Co. informing them they are violating the noise violation part of the code. See if they will agree to stop it based on the warning letter. It is recommended by the council to table it until this becomes more of a problem.

New Business

- Method of Payment/Ice Cream Social – We have received \$125 thus far for donations. Penn Waste would like to donate \$100 to the Borough for the ice cream social however they do not want to go through the lengthy check process and have asked if council would entertain the thought of electronic payment. The borough does not want to set up electronic payments for only \$100 payment. Tiffany to reach out to Penn Waste and inquire if a gift card would be possible.
- Scout Troop 248 – They would like to advertise their scout in the borough with signs. Our scout troop asked that we do not allow this as it takes away from them. The council's decision is to not allow scout troop 248 to advertise in the Borough. Tiffany to call and inform of the decision.
- Check signing – Mike will be unavailable to sign checks in June, July or August. Another signer will be needed. Wade can come in after work and sign checks.

The Council recessed into an executive session at 10:03 P.M.

The council adjourned the executive session at 10:45 P.M.

There being no further business a motion for adjournment at 10:47 P.M. was made by Ryan Neely, it was 2nd by Mike Stahle, and the motion carried.