

# MANCHESTER BOROUGH MEETING MINUTES

225 S. MAIN STREET MANCHESTER, PA 17345

November 13, 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:
  - Secretary Tiffany Mays was absent

Adam Bowman  
Mike Jackson  
Ryan Neely  
Harry Morgan  
Mike Stahle

Wade Witt  
Larry Weirich  
Joseph Paniagua  
Solicitor Beth Kern  
Engineer John Rea  
Mayor Patricia Witt

## Approval of Agenda/Minutes

- A motion was made by Ryan Neely to approve the October 09, 2023 minutes as presented. Mike Stahle seconded the motion and the motion carried.

## Fire Company: Chief Joe Stevens

- 24 Calls for the month, \$0 loss, 0 Injuries
- Training certification was completed for Annual pump testing, Annual hose and ladder test, and SCBA and portable power equipment inspection/maintenance
- The rib BBQ fundraiser was held on September 16, 2023.

## Public Comments/Guests:

- Rebecca Gewertz special request to council to allow a special exception to take in her mother's two elderly dogs for the duration of their life span. Beth Kern asked if there were any other citizens in attendance on behalf of the request for Rebecca. There were no citizens in attendance. Rebecca Gewertz thanked the council for the approval of the exception.
  - A motion was made by Ryan Neely to allow the special exception for Rebecca Gewertz to keep her mother's elderly dogs. It was seconded by Adam Bowman and the motion carried.
- Christie Beck and Lonnie Beck Jr. owners of BND Treasure Chest in Wellsville PA are looking to purchase 49 S. Main St. and open it as a gun shop. Beth Kern asked if the "gun shop" would be retailing in firearms and ammunition. Christie Beck informed yes it would be as they are a licensed FFL. Beth Kern asked if there would be any other use beyond commercial for the business. The desire would be for multi-use for the apartment upstairs as well pe Christie Beck. Beth Kern stated a zoning application would need to be filled out for the desired use for the zoned district to get a determination from the zoning officer as to whether or not the code allows the for the intended use or if there is any zoning relief needed. BND Treasures desires to use the property as a multi-use with the residential upstairs and the commercial downstairs.

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## **Treasurer's Report: Wendy Snyder**

- The General Checking Account (M & T Bank) starting balance was \$568,937.68. Receipts for the month of October 2023 were \$25,454.65, Disbursements were \$75,922.03 leaving a total of \$518,470.30 in the account. PLGIT General Account \$198.79, PLGIT/Reserve Account \$13,126.38, Reserve Account \$415,222.62, Liquid Fuel Account \$238,933.32, Retirement Escrow Account \$2,365.49, Recreation Fund \$18,759.97, M&T COVID Fund \$157,469.80. President Wade Witt asked what ACH Payments were made for the month. Treasurer Morgan informed that they were included on the Disbursements list he provided.
- Members 1<sup>st</sup> Bank Money Market Account \$100,256.46.
- Treasurer Morgan stated that there was \$815.00 placed in the general account and not the recreation center account as it should have been therefore you will see this be adjusted.
- The bill summary was reviewed for \$68,061.15, and payroll was reviewed for \$4,754.52.
  - Adam Bowman motioned to approve the Sept 2023 account balances as read and presented. Mike Stahle seconded the motion and the motion carried.
  - Adam Bowman motioned to approve and pay the September 2023 bills as read and presented. Mike Stahle seconded the motion and the motion carried.
- Treasurer Morgan requested that he be allowed to go to an online class for \$25 through the PSAB for a refresher on Quick Books.
  - A motion was made by Adam Bowman to approve the training for Harry Morgan. It was Mike Stahle and the motion carried.

## **Mayor's Report: Mayor Patricia Witt**

- Police report was provided in council packets.
- The York County Regional Police Fee for 2024 will be \$422,184. This is a 5% increase from 2023. The PPU's will remain the same.
- Certificate of Occupancy – Kelly Neely and Mayor Witt discussed the current ordinance and forms. It was discussed that it is unknown at this time that the total number of residents in the owner-occupied homes in the Borough. Currently the occupancy form is only sent out to the owners who rent their homes. Beth Kern stated that York County should be reporting the per capita of the owner occupied. Beth Kern also informed that it will then become a zoning issue if you have reports of someone exceeding the definition of family of a single-family home. This should be addressed as a zoning violation through the zoning officer.
- Safety Concerns – The police, school district, and the Borough have been receiving complaints about the crossing guards and how they are crossing the kids incorrectly and they are not there their full shift. Mayor Witt also spoke with Chief Rizzo to work with the crossing guards to see if the complaints were valid. Chief Rizzo had the SRO officer retrain and work with the crossing guards. Both crossing guards were pleased with the training. Royce Weirich did request that the police make their presence known to slow down the speeding traffic. The crossing guards were receiving miscommunication. It is the mayor's responsibility to oversee the crossing guards, and the mayor will be the one communicating with them.

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- Office Concerns – It was overheard that the mayor took over Judy’s jobs from her. To clarify per the mayor, this is not true at all as the mayor is in charge of the permits, zoning and codes. The person stating this understands that Judy was the zoning officer and the secretary as well. Judy wore many hats in the Borough, and she performed duties above her secretary position.

## Zoning/Code Violations

- 135 N. Main St. Chickens in the Borough. Certified mail was sent. Citizen refused to sign the first and second certified letter. Neighbors are upset and claiming they are getting rodents from the trash and debris.
- 49 S. Main St. received a letter in regard to replacing the grass to meet the pervious requirements before the property can be sold.
- 34 Fenwick Drive was sent a certified letter for a junk truck, and junk throughout the property. The citizen did not sign for the certified letter.
- 111 Cooper St. received a certified letter for trees, bushes, and junk throughout the property. The citizen did not sign for the certified letter.
- 41 Liverpool St. did receive the certified letter from CGA Law and their time frame to correct the action runs between this council meeting and the December 11, 2023 council meeting.
- Beth Kern asked if the time allotted for the correction of the violations has passed. Mayor Witt stated it has. Mayor Witt stated that the current templates being used makes the letter very heavy. Beth Kern stated to only reference the violation and enclose the section of the code as a reference. Beth Kern suggested sending the letter both First Class and Certified so the citizen will receive both. If the citizen does not sign the certified letter, they will at least receive the regular letter in the mail. Pending the time period for corrective action running with no action, Mayor Witt will ask council for approval to take these properties to the magistrate for further enforcement at the December 11, 2023 council meeting.

## Engineer’s Report: John Rea

- 2023 Street Maintenance (0965.4.01.57) - H&H has completed the paving work. The total yardage completed for the month is 161 yards. A total of \$19, 964. John Rea is waiting for the invoice for the final total, and the close-out documentation from H&H. C.S. Davidson Inc. recommends that payment be made to H&H Paving.
  - A motion was made by Mike Jackson to pay H&H Excavating \$19,964. The motion was seconded by Adam Bowman and the motion carried.
- CDBG Main Street ADA Curb Ramps (0965.4.65.00) – Will start project bid specifications in January with the planning on a February bid. The contract for CDBG was received and signed.
- Local Share Statewide Grant – Preparing to submit grant application for the restoration and paving of Manchester St. to Borough line, and stream stabilization for Musser Run. A motion will be needed to approve Resolution 2023-16 for the application of the grant.
  - A motion was made by president Wade Witt to approve Resolution 2023-16 to request a local share statewide grant to not exceed \$300,000. Adam Bowman seconded the motion and the motion carried.

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- Misc. Items – Farm Lane paving – Because of the delay of the PA Small Water and Sewer Grant selection, Gary Cardasso is concerned with the condition of Farm Lane for winter plowing. Since we are past October 31<sup>st</sup> date to be able to use Liquid Fuels funds to pay for this patch work, the funds will need to come from the general funds account. C.S. Davidson Inc. recommends H&H Excavating to perform the work.
  - A motion was made by Ryan Neely to authorize the patching of Farm Lane without exceeding a threshold of \$4,000 from ARPA funds. Mike Stahle seconded the motion and the motion carried.
- Reminder that the CDBG Grant applications are due in January 2024. John Rea would like council to take time to think of what projects the council would like to apply for and have ready for the December 2023 council meeting.
- C.S. Davidson Inc. has updated the accounting system. C.S. Davidson Inc. would prefer email and electronic copy of the invoices to clients. The email will go to the Treasurer. There was no objection from the council. The next round of invoices after this evening's council meeting will be the electronic email with the invoices. This should be around 3 weeks' times frame.

## Solicitor's Report:

- Joint Refuse Bid Packet – Mount Wolf Borough indicated that they would be in favor of seeing if a collector would offer a reduction in price per unit for having collection being at 5 A.M. Mount Wolf Borough has also indicated that they would prefer to have only a biannual report rather than a weekly report. This report would hold the collector accountable for missed collections. Mayor Witt asked if the collector would pick up yard waste. Beth Kern asked if this is something that is wanted by the council. The council would like the yard waste to remain in the contract bid packet. Beth Kern stated that the final version will be available for the December council meeting. The missed collection and penalties will be reworked before presented so it is clear that the fee will be paid to the Borough and not the individual resident.
- The proposed ordinances are still in process. Beth Kern is currently combining the street cutting and the solid waste sections. With the completion of the refuse bidding, this will allow Beth Kern to finalize the solid waste section changes. Beth Kern did not have the opportunity to finalize the amendments to the zoning section of the code.
- Employee handbook review and annual review discussions. This item is being kept on the solicitor's agenda for a point of reference. The last time this was discussed the personnel committee was to look at breaking out some of the job description-related information that was in the handbook and enter it employee job descriptions. Beth Kern suggested as we get to the end of the end of the calendar year, and the beginning of the next calendar year, it is a good time to start the formal employee written evaluations. Wade Witt stated the handbook is complete with the descriptions removed. To Beth Kern's understanding there is still the legal review of the handbook that needs to be completed. Wade Witt stated he would forward the handbook to Beth Kern for her review. The council agrees that Solicitor Beth Kern should review the employee handbook.
  - A motion was made to authorize Solicitor Beth Kern to review the employee handbook Ryan Neely. It was seconded by Joseph Paniagua and the motion carried.

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- Comcast franchise renewal agreement – Comcast reached out the President Wade Witt asking to begin the process of a franchise renewal agreement. There was no previous franchise agreement found at the Borough. Beth Kern did reach out to Comcast for a copy of the prior contract. It has been a month and Beth Kern has not received a response from Comcast regarding her request for a copy of the contract. Beth Kern will reach out again to determine what terms they are proposing to change or are changing, and if the franchise fee will remain the same. Future updates to be provided.
- Timing of providing any kind of increase or any other change in the compensation of the tax collector – Beth Kern provided information to the council regarding how the tax collectors' compensation needs to be changed and the timing element.

## **President's Report: Wade Witt**

- Planning Commission Meeting was held on November 06, 2023 for Beshore & Koller Inc. to review their parking lot project. The planning commission would like to have a waiver request for the parking lot from Beshore & Koller Inc. An action is needed for §128-9 (Submission of preliminary and land development plan), and §128-16 (Submission and land development plan) of the planning code. John Rea informed that Beshore & Koller Inc. met with the planning commission to show them their plans for demolishing the home that they purchased and expanding the parking area. They will then file for the appropriate zoning permit for the demolition of the property. Beshore & Koller Inc. will still be responsible for storm water management and all requirements of the zoning ordinance. C.S. Davidson Inc. asked Beshore & Koller Inc. to include in the plan presented to the planning commission some of the information on the plan to make it a pseudo land development plan. This will be included on the zoning permit as well. The two items Beshore & Koller Inc. are asking the Borough to waive from the land development process are the preliminary and final development plan, and the submission of the plan to the Borough. Beshore & Koller Inc. would like to propose an agreement that states they own the three parcels with the proposed plan and what they would like to do across the property line of the adjacent parcels that they own. If Commonwealth Code Zoning and the council accept the agreement, C.S. Davidson Inc. recommends a caveat is placed in the agreement stating that the exception ends at such point the ownership of either parcel changes. Beth Kern recommended that a waiver request should be treated more formally. It should be stated for the reasons why they are asking for the waiver and the grounds and facts of unreasonableness and hardship which requires the modification. The planning commission has recommended the approval of the waivers.
  - This topic will be tabled and reviewed at the December 13, 2023 council meeting.
- Employment of Charles Laudenslager III – The personnel committee interviewed Charles Laudenslager III. Charles is recommended by the personnel committee to be hired starting November 06, 2023 with a starting wage of \$15.50/hr.
- Employment of Robert Peters – The personnel committee interviewed Robert Peters for a back up crossing guard position in the Borough. Robert Peters would be the back up for the Hartman St., and Maple St. location. Robert Peters will also be a back-up if needed in the shop area.

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- A motion was made by Ryan Neely to hire Charles Laudenslager III starting November 06, 2023 at \$15.50/hr. It was seconded by Mike Jackson and the motion carried.
- A motion was made by Ryan Neely to hire Robert Peters at \$30.00/ day as a backup crossing guard and backup shop support. It was seconded by Mike Jackson and the motion carried.
- ADA Compliance – President Wade Witt provided 2 quotes that he received for the Borough to become ADA compliant. Aspen Door quoted \$34,000 to remove the doors, put in 42” doors, replace the windows, and the blocks. Susquehanna Door Service quoted \$5,580 to bring the Borough to ADA compliance which includes 2 closures (doors), and push buttons for the inside and outside. The current door widths are ADA compliant.
  - A motion was made by Mike Jackson to approve the quote for Susquehanna Door Service at \$5,580. It was seconded by Josphe Paniagua and the motion carried.
- 2023/2024 Rec Center Budget –In 2022 there were 87 renters at \$100 each which comes to \$10,891.52. In 2023 there were 79 renters at \$150 which comes to \$11,850.00. There are 67 rentals at \$150 each to break even. Air Conditioning and Duct work to be looked at for installation to not lose renters or money for the rec center. Mike Stahle asked how much is left in the ARPA Funds. There are \$156,000 left to allocate and use. President Wade Witt mentioned there are a lot of things that could be done at the Manchester Park if anyone would like to help get toys and stuff, please let President Wade Witt know. Swings, rocking toys and a merry go round are needed. The recreation committee will meet November 20<sup>th</sup>, 2023 at 5 p.m.
- 2023/2024 Finalized Proposed Operating Budget – Solicitor Beth Kern recommends reviewing the proposed operating budget to do the advertising of the budget, and for adopting of the budget at the December 11, 2023 council meeting. The budget was reviewed by the council.
  - A motion was made by Adam Bowman to advertise the proposed 2024 operating budget. It was seconded by Mike Stahle and the motion carried.
- Traffic Signal Update – There was information provided to the council in their packets. The bids are due later than the initial plans and are now due November 15<sup>th</sup>, 2023.

## **Park and Recreation Report: Joseph Paniagua, Wade Witt**

- The recreation committee will meet on November 20, 2023 at 5 p.m. to discuss possible improvements and work to be completed.

## **Maintenance/Street Report:**

- Sign installations currently utilize 2 shop individuals to install, and the current process is physically demanding on the personnel. Chuck Laudenslager is willing to sell his jack hammer with attachment to Manchester Borough for \$450 to improve the safety and quicker installation of signs.
  - A motion was made by Adam Bowman for the purchase of the Jack Hammer with attachments from Chuck Laudenslager for \$450. The motion was seconded by Mike Stahle, and the motion carried.
- Proposal for Air Lines – A proposal was submitted to council in their packets. Chuck Laudenslager presented the proposal to council for the air lines in the shop. The air lines in the

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shop will make the work of the shop employees quicker, and easier. The total cost being proposed to purchase the airlines for bays 1 and 2, and 3 and 4 is \$412. Adam Bowman suggested that we complete all bays air lines at once. The cost for the proposal will then be around \$624.

- A motion was made by Mike Jackson to purchase the airlines for all bays in the shop. It was seconded by Ryan Neely and the motion carried.
- There is program on the maintenance computer that the shop team follow to complete tasks. It is working well, and tasks are being completed on time.

## Unfinished Business

- Approve the zoning and code violation templates.
  - A motion was made by Adam Bowman to use the zoning and code violation templates. It was seconded by Mike Stahle and the motion carried.

## New Business

- Adopt resolution 2023-15 Fees – Omit the signature for applicable to my project.
  - A motion was made by Adam Bowman to omit the signature on Resolution 2023-15 for the citizen and adopt Resolution 2023-15. It was seconded by Ryan Neely and the motion carried.
- 2024 Penn Waste Disposal price increase for 2024. Information provided in the council packets.
- Bonding of the new Treasurer Harry Morgan and of the Secretary Tiffany Mays. Approval of Bank account change of treasurer. A resignation will need accepted by the council for Treasurer Wendy Snyder for the December 11, 2023 council meeting. A resolution will need drafted that accepts the resignation of Treasurer Wendy Snyder and appointing Harry Morgan as the Treasurer.
  - A motion was made by Adam Bowman to draft the resolution to accept Wendy Synder's resignation and to place Harry Morgan as Treasurer. It was seconded by Mike Jackson, and the motion carried.
  - A motion was made by Adam Bowman to have Solicitor Beth Kern draft the Resolution to accept Wendy Synder's resignation and to place Harry Morgan as Treasurer. It was seconded by Mike Jackson and the motion carried.
- York Water Company sent communication to the Mayor to expedite road cut permits and service line installations for customers. They asked if the Borough could bill the York Water Co. monthly for all the road cut permits instead of billing separately for each permit? They also asked if the Borough accept credit cards, and if not, will the Borough accept direct deposit payments for the municipal road cut permits? The road closure cost will be added to the current application for H.O.P Permit by the secretary. All council agreed with the billing of the York Water Co. monthly and accepting of the direct deposit payments.
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***There being no further business a motion for adjournment at 09:57 P.M. was made by Adam Bowman  
2<sup>nd</sup> Larry Weirich***