

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 9, 2004**

**APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 9, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Jack Hadge, Finance Director  
Mark Hodgkinson, Director of Wastewater Treatment  
Andrew Stern, Assistant to Township Manager  
David Wendel, Director, Parks & Recreation Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Vice-Chairman Bishop called the meeting to order at 7 p.m. He stated that Mr. Schenck was out of town and unable to be present. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri asked Pastor Scott Kennedy of Faith Alive church to open the meeting with prayer.

**KENNEDY** Pastor Kennedy offered a blessing over the meeting.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**BISHOP** Vice Chairman Bishop announced that the Board held an Executive Session to discuss personnel and legal matters at 6:30

p.m. this date. He added that the Board held a Budget hearing on Monday, December 6<sup>th</sup> at 7:30 a.m.

**RAUSCH** Solicitor Rausch added for the record that the legal matters discussed during the Executive Session were for the Springwood Development Corporation Zoning Appeal and litigation concerning the ACLU.

**3. COMMUNICATION FROM CITIZENS:**

There were no citizen communications.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that the Solids Dewatering Project and the Bar Screen projects were nearly completed. With regard to Eden Road, the Township is still waiting on the right-of-way agreement from the Kinsley property but have the rights-of-way in hand for the James Meadow property for the Harley-Davidson portion. This will not be advertised until some time in January. The BNR Study is proceeding nicely. They have developed a number of alternatives which will cost a lot more than anticipated so an attempt is being made to reduce that scope and probably cut the cost in half. The evaluation of the initial removal systems was completed and a draft report is being prepared for Mr. Hodgkinson. In addition, they are working on the new tapping fee calculations. The draft numbers are available; however, they are looking at some of the legal requirements with Solicitor Rausch. This is not due until July.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported on the AMC HOP. He indicated that Mr. Baugh sent a letter requesting that PennDot relocate the existing signal at Locust Grove Road up to the entrance of the AMC theater at Cinema Drive. PennDot recently advised that there may be some delay with that anticipated signal.

**BISHOP** Mr. Bishop asked who would actually be responsible for the signal.

**LUCIANI** Mr. Luciani responded that the developer would be responsible.

**LUCIANI** Mr. Luciani reported on the activities concerning Safe Routes to School. He had provided minutes to the Board of the York Area MPO meeting. Mr. Holman will request an amendment to the pedestrian policy in and around the school.

**LUCIANI** Mr. Luciani stated that he had attended recent meetings concerning the York County Prison expansion. They are reviewing the roadway connections for the prison and may be working on budget estimates. Mr. Luciani had not received any topography design drawings at this point, especially relating to the railroad connection. However, he will prepare an estimate as soon as he receives drawings in order to make the traffic movement occur.

**GURRERI** Mr. Gurreri asked about the connection of Concord Road and Memory Lane/Mt. Zion.

**LUCIANI** Mr. Luciani responded that the application was re-filed within the last few days, which he hoped would result in an improvement.

**HOLMAN** Mr. Holman confirmed that the application had been filed.

**5. ACCOUNTS PAYABLE:**

- A. Kinsley Construction, Inc. – Eden Road Relocation Project – Progress Billing No. 4 in the amount of \$259,252.31**
- B. Buchart-Horn, Inc. – Bar Screen & Septage Receiving Station – Payment No. 8 in the amount of \$3,249.00**
- C. Regular Payables as Detailed in the Payable Listing of December 9, 2004**

**MR. DVORYAK MOVED FOR APPROVAL OF ACCOUNTS PAYABLE ITEMS A, B, AND C. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Springettsbury Township Park Phase II: Authorization to award Contract #1 – Site Improvement Contract to Kinsley Construction, Inc., in the amount not to exceed \$551,174. This award includes the base bid and add alternates No. S-1, 3, 5. Award is contingent upon funding being made available in the 2005 budget.**

**BISHOP** Mr. Bishop commented that item A covered the award for Springettsbury Park Phase II. There were numerous items that were not within the budget for in Phase I, and Phase II will proceed with bidding to complete some of those items.

**HOLMAN** Mr. Holman stated that Mr. Mears, representative from YSM, was in attendance who could do a quick pictorial of the project.

**MEARS** Mr. Mears provided a brief Power Point presentation showing additional parking with 46 spaces, the six additional tennis courts, lighting, coin skating rink, pavilion, anchor community lawn area, finished walkways, etc. He reported that there would be an additional water line.

**MR. BOWMAN MOVED FOR AUTHORIZATION TO AWARD CONTRACT #1 – SITE IMPROVEMENT CONTRACT TO KINSLEY CONSTRUCTION, INC. IN THE AMOUNT NOT TO EXCEED \$551,174. AWARD INCLUDES THE BASE BID AND ALTERNATES NO. S-1, 3, 5. AWARD IS CONTINGENT UPON FUNDING BEING MADE AVAILABLE IN THE 2005 BUDGET. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Springettsbury Park Phase II: Authorization to award Contract #2 – Electrical Contract to Robert P. Lepley in an amount not to exceed \$108,288. These awards include the base bid and add alternate E-5. Award is contingent upon funding being made available in the 2005 budget.**

**MR. BOWMAN MOVED FOR AUTHORIZATION TO AWARD CONTRACT #2 – ELECTRICAL CONTRACT TO ROBERT P. LEPLEY IN AN AMOUNT NOT TO EXCEED \$108,288. THESE AWARDS INCLUDE THE BASE BID AND ADD ALTERNATE E-5. AWARD IS CONTINGENT UPON FUNDING BEING MADE AVAILABLE IN THE 2005 BUDGET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Springettsbury Park Phase II: Authorization to amend professional services contract with YSM to include project rebid for total architectural/engineering fees in an amount not to exceed \$58,750. Original award plus construction observation was in the amount of \$55,850. Award is contingent upon funding being made available in the 2005 budget.**

**MR. DVORYAK MOVED FOR AUTHORIZATION TO AMEND PROFESSIONAL SERVICES CONTRACT WITH YSM TO INCLUDE PROJECT REBID FOR TOTAL ARCHITECTURAL/ENGINEERING FEES IN AN AMOUNT NOT TO EXCEED \$58,750. AWARD IS CONTINGENT UPON FUNDING BEING MADE AVAILABLE IN THE 2005 BUDGET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISION AND LAND DEVELOPMENT:**

- A. LD-02-02 – Associated Wholesale Time Extension to 6/30/05**

**MR. GURRERI MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR LAND DEVELOPMENT-02-02 – ASSOCIATED WHOLESALE TO 6/30/05. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. SD-04-17 – Orchard Hills Phase 3 Final Subdivision – Action**

**BAUGH** Mr. Baugh provided background information regarding the Orchard Hills Phase 3 Final Subdivision as noted in his December 2, 2004 memo. The existing property is a vacant tract with grass and shrub cover. The applicant proposed a subdivision consisting of 25 building lots, a storm water management facility, and a recreational lot. Planning Commission recommended approval of the plan with several conditions noted in the memorandum, most of which had been addressed. Staff recommended approval as well with the financial security condition.

**RAUSCH** Solicitor Rausch asked about some preliminary staff comments regarding the storm water facility. He asked who would provide maintenance.

**BAUGH** Mr. Baugh responded that the Homeowners' Association would provide the maintenance.

**BISHOP** Mr. Bishop asked whether a copy of the Homeowner's Association agreement was available.

**BAUGH** Mr. Baugh responded that it had been provided.

**MR. GURRERI MOVED TO APPROVE SD-04-17, ORCHARD HILLS FINAL SUBDIVISION PLAN WITH THE FOLLOWING CONDITION:**

- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-04-13 – Saturn of York Subdivision – Action**

**BAUGH** Mr. Baugh provided background information as documented in his memorandum. The subdivision consisted of three lots. Parcel 24F is the Saturn of York automobile dealership. Parcels 24D and 24G are vacant land. Parcels 24F and 24G will be joined together by reverse subdivision for the installation of a parking lot expansion for the Saturn of York dealership. The Saturn building will be expanded for a new service bay, which will add three new employees. The service bay expansion is 3808 square feet. This subdivision plan and the accompanying land development plan will require the extension of the roadway for a cul-de-sac design on Parcel 24D. A storm water detention basin is proposed for the parking lot expansion, new roadway extension and future lot development on Parcel 24D. The road extension will be offered for dedication to the Township. Planning Commission recommended approval with several waivers, modification and conditions, most of which had been addressed. Staff recommended approval of the plan with several

waivers and modifications. He provided several drawings showing the plan revealing the sidewalk and private road.

**BOWMAN** Mr. Bowman asked about the storm water retention and whether it would be filled with cement.

**LUCIANI** Mr. Luciani responded that it would have to be graded and filled, and there are specifications for basins.

**BISHOP** Mr. Bishop was curious about the idea of the road connecting up to the Caterpillar parts plant.

**BAUGH** Mr. Baugh responded that the Planning Commission had some concern that if a development ever occurred there, that simply ending the cul-de-sac would deny access, and that could be a future access. However the probability was not great.

**BISHOP** Mr. Bishop indicated it would require developing that property and tearing down the building that exists. He asked whether the cul-de-sac would have any impact or benefit the Little League.

**BAUGH** Mr. Baugh did not think it would; if so, it would be small.

**LUCIANI** Mr. Luciani added that there was an existing wooden bridge way in the back. He was not familiar with the Shipley field. Technically an individual could walk to the other end of that cul-de-sac and go up to the wooden bridge and go down to the field, but that's the opposite of the stream through there.

**MR. GURRERI MOVED FOR APPROVAL OF SD-04-13 – SATURN OF YORK  
SUBDIVISION WITH THE FOLLOWING WAIVERS:**

- **GRANT A WAIVER OF PRELIMINARY PLAN;**
- **GRANT A WAIVER OF DISTANCE BETWEEN STREET INTERSECTIONS;**
- **GRANT A WAIVER OF LENGTH OF CUL-DE-SAC;**
- **GRANT A MODIFICATION OF SIDEWALKS, WITH SIDEWALKS BEING INSTALLED ON THE NORTH SIDE OF THE CUL-DE-SAC AT THE TIME OF THE PROJECT WITH A SIX MONTH NOTE ON THE PLAN THAT THE REMAINING REQUIRED SIDEWALK BE PROVIDED WITHIN SIX MONTH'S WRITTEN NOTICE FROM THE TOWNSHIP.**

**MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop asked about the wording with respect to the sidewalks. He stated for clarification that the north side sidewalks will be built at the

same time as everything else, and the six month note only related to the south side.

**MOTION UNANIMOUSLY CARRIED.**

**D. LD-04-11 – Saturn of York Land Development – Action**

**BAUGH** Mr. Baugh provided background information as documented in his December 2, 2004 memorandum. All of the recommended actions had been addressed.

**LUCIANI** Mr. Luciani stated that sidewalk would be placed on North Hills Road.

**MR. DVORYAK MOVED FOR APPROVAL OF LAND DEVELOPMENT-04-11, SATURN OF YORK LAND DEVELOPMENT WITH THE FOLLOWING WAIVERS AND CONDITION:**

- **GRANT A WAIVER OF PRELIMINARY PLAN;**
- **GRANT A WAIVER OF DISTANCE BETWEEN STREET INTERSECTIONS;**
- **GRANT A WAIVER OF LENGTH OF CUL-DE-SAC;**
- **GRANT A MODIFICATION OF SIDEWALKS, SIDEWALKS BEING INSTALLED ON THE NORTH SIDE OF THE CUL-DE-SAC AT THE TIME OF THE PROJECT WITH A SIX-MONTH NOTE ON THE PLAN THAT THE REMAINING REQUIRED SIDEWALK BE PROVIDED WITHIN SIX MONTH'S WRITTEN NOTICE FROM THE TOWNSHIP;**

**TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**

- **PROVIDING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. SD-04-19 – James Meadows Final Subdivision – Action**

**BAUGH** Mr. Baugh provided background information as documented in his December 2, 2004 memorandum. The 6.5 acre parcel is currently an idle, vacant meadow. There is an adjoining half acre property owned by the Snyder's, which is currently an existing single family residential lot on Eden Road. The proposed use will be a 13 dwelling unit single family residential subdivision with a non-dwelling lot being joined to the adjoining property of the Snyder's, which will remain as an existing single family residential lot. The Planning Commission and staff recommended approval of the plan with several conditions.

**MR. GURRERI MOVED FOR APPROVAL OF SD-04-19 – JAMES MEADOWS FINAL SUBDIVISION WITH THE FOLLOWING CONDITIONS:**

- **PROVIDE A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL. PLANS ARE CURRENTLY UNDER REVIEW BY THE CONSERVATION DISTRICT;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT ACCEPTABLE TO THE TOWNSHIP ENGINEER;**
- **THE DEVELOPER PROVIDING AN \$8,000 CONTRIBUTION TOWARD THE INSTALLATION OF A NEW CULVERT AT THE SOUTH CORNER OF THE PROPERTY BENEATH EDEN ROAD;**
- **THE APPLICANT PROVIDING ACKNOWLEDGEMENT OF THE REQUIRED SEQUENCE OF INSTALLATION OF THE SANITARY SEWER BY THE TOWNSHIP AND SITE DEVELOPMENT BY THE APPLICANT IN A FORM MUTUALLY AGREED TO BY THE TOWNSHIP SOLICITOR AND THE APPLICANT.**
- **PAYMENT OF RECREATION FEE IN LIEU OF RECREATION FACILITIES.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop thanked the Park and Rec Department for their nice Christmas postcard.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch had nothing to add to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman requested permission from the Board for the Township to intervene regarding the Springwood Development Corporation. He sought permission from the Board.

**MR. GURRERI MOVED TO AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIAL TO INTERVENE IN THE APPEAL OF THE ZONING BOARD DECISION REGARDING THE SPRINGWOOD DEVELOPMENT CORPORATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman reported that updates had been provided to the Board members with regard to the traffic improvement agreement between Springettsbury Township and York County concerning the 911 Center. Significant changes are occurring; progress is moving forward. Engineering will be meeting to come up with an actual number.

**HOLMAN** Mr. Holman reported that a meeting would be held with Dr. Estep, John Luciani, John Holman and the County to review language they would like to see regarding Safe Routes to School program regarding the walking policy. That meeting is scheduled for December 10, 2004. In addition, Mr. Holman and Mr. Luciani will be attending a school board meeting on December 13, 2004 to provide an updated progress report. They hope for a recommendation of approval from YAMPO (York Area Municipal Planning Organization) in February, 2005 on the grant application, and one month later from the state.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-12 – Establishing and Re-Establishing Paid Firemen Pension, Death and Disability Fund for Full-Time Paid Firemen.**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 04-12 – ESTABLISHING AND RE-ESTABLISHING PAID FIREMEN’S PENSION, DEATH AND DISABILITY FUND FOR FULL-TIME PAID FIREMEN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-74 – 2005 Budget Adoption: Presentation on Budget provided under Manager’s Report. Recommend approval of 2005 Budget.**

**BISHOP** Mr. Bishop indicated that the Board had received copies of the Manager’s presentation, which, in addition, had been made available to the public.

**HOLMAN** Mr. Holman stated that at the last Work Session the Board had requested that the budget be amended to make one change from the original budget as proposed, and that was to remove one tenth of a mil tax increase. The budget had been amended to reflect that. At the same time the Board’s objective had been maintained, which was to accelerate the road improvement and maintenance program. The tax rate for 2005 will be 1.077 which is the same as was adopted for 2004; no change.

**GURRERI** Mr. Gurreri commented that he was very glad the Board decided to hold the line on taxes. Many questions had been answered during the budget discussions and the Board hopes to count on the Manager to do the same next year. With regard to the Occupational Privilege Tax, other municipalities are raising it to \$52.00, but Springettsbury Township did not raise it at all.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-74 – 2005 BUDGET ADOPTION: RECOMMEND APPROVAL OF 2005 BUDGET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman thanked the Treasurer and staff, all the Directors for their help and support in compiling this budget.

- C. Resolution No. 04-75 – 2005 Tax Levy: Presentation made under Manager’s Report. Recommend approval of 2005 Tax Levy.**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 04-75 – 2005 TAX LEVY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop thanked the Board and the staff for their hard work. Everyone came out ahead.

- D. Resolution No. 04-76 – Authorization to enter into Right-of-Way Agreement on Eden Road with Harley Davidson. The purpose is to allow installation of sanitary sewer line to replace the Eden Road pump station.**

**HOLMAN** Mr. Holman indicated that this was part of an earlier discussion regarding the development to remove the Eden Road pump station. Harley-Davidson had provided the Township with the right-of-way for the consideration of \$1.00 to run a line through Harley-Davidson property. There is one more right-of-way to complete. Upon completion of that agreement the Township will be able to move forward with the project for removing the Eden Road pump station and moving toward the gravity feed which will be of benefit to the sewer system.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-76 AUTHORIZING ENTERING INTO THE RIGHT-OF-WAY AGREEMENT WITH HARLEY-DAVIDSON FOR EDEN ROAD. PURPOSE IS TO ALLOW THE INSTALLATION OF SANITARY SEWER LINE TO REPLACE THE EDEN ROAD PUMP STATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – November 17, 2004**

**MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS REGULAR MEETING NOVEMBER 17, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledgement Receipt of November 30, 2004 Treasurer's Report**

**HOLMAN** Mr. Holman stated that was an error on the report, and no action should be taken.

**B. Appointment of Citizens to Joint Fire Committee.**

**BISHOP** Mr. Bishop indicated that Chairman Schenck requested no action be taken on item B.

**HOLMAN** Mr. Holman added that the action should be taken during the reorganization meeting.

**C. Tax Collector Compensation: This is to advise the Board that it has until February 5, 2005 to take any action regarding compensation for services provided by the Township Tax Collector.**

**HOLMAN** Mr. Holman stated that the Board had until February 15, 2005 to take action; however, he did not recommend any action. The Tax Collector is satisfied with the current compensation rate and is not looking for any change.

**BOWMAN** Mr. Bowman inquired as to whether there was a comparison of different schedules available.

**HOLMAN** Mr. Holman responded that he had a survey of the different townships, which he found very interesting.

**DVORYAK** Mr. Dvoryak asked when the last time was for those dollars to be adjusted.

**HOLMAN** Mr. Holman responded that he would have to review the records but added that most of it was done on a percentage basis.

**BISHOP** Mr. Bishop stated that he did not remember the dollar limits being changed.

**HOLMAN** Mr. Holman stated that within the 2004 budget, an increase was estimated of about \$6,000 in the Tax Collection.

**Reorganization Meeting**

**BISHOP** Mr. Bishop stated that the date for the reorganization meeting needed to be set, which date would be Tuesday, January 4, 2005 at 7 p.m.

**Consensus of the Board was to confirm that date, Tuesday, January 4, 2005 at 7 p.m. the first business day of the week of the new year.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

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**BISHOP** Mr. Bishop stated that a request had been received to authorize permission to advertise the Ordinance Establishing Speed Limits on Whiteford Road.

**HOLMAN** Mr. Holman stated that Chief Eshbach and his department had done an excellent job on the study. The section of Whiteford Road runs along the park. It was recommended to bring the speed limit down to 35 miles per hour. An Ordinance was needed to put that into place.

**MR. GURRERI MOVED TO AUTHORIZE THE ADVERTISEMENT OF THE ORDINANCE TO CHANGE THE SPEED LIMIT FROM 55 TO 35 ON WHITEFORD ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**BISHOP** Vice Chairman Bishop adjourned the meeting at 7:59 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**DECEMBER 6, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Work Session on Monday, December 6, 2004. The purpose of the Work Session was for review of the 2005 proposed budget.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charlie Lauer, Director of Public Works  
Betty Speicher, Director of Human Services  
Jean Abreght, Stenographer

**CALL TO ORDER:**

**BISHOP** Vice Chairman Don Bishop called the meeting to order at 7:40 a.m.

**HOLMAN** Mr. Holman stated that the meeting would be an open forum to discuss the budget. The following items were included in general discussion: manpower needs, new purchase order system, Building Inspector/property maintenance issues, weekend signs, money collection at intersections, public safety issues, joint services, police, fire, emergency services, new Federal laws, new Central York School, comprehensive plan, occupational privilege tax, real estate transfer tax, road improvements, long range forecasts.

**Consensus of the Board members present was to remove the 10<sup>th</sup> of a mil increase and reduce the expenditures to match that amount.**

**BISHOP** Mr. Bishop indicated that he was uncomfortable with not having the 5<sup>th</sup> Board member present for his input. He added that if there was a differing opinion, then another meeting would be necessary to adopt the budget.

**HOLMAN** Mr. Holman indicated he would contact Mr. Schenck, who was unable to be present due to an emergency situation at his work place, and brief him of the consensus of the Board.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

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**DVORYAK** Mr. Dvoryak encouraged Mr. Holman to provide a long-range forecast.

**HOLMAN** Mr. Holman responded that his goal was to provide a long range forecast during the first quarter of 2005.

**ADJOURNMENT:**

**BISHOP** Vice-Chairman Bishop adjourned the meeting at 9:15 a.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**NOVEMBER 17, 2004  
APPROVED**

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He began the meeting with comments concerning the death of a police officer, Detective Nathan Zech. Officer Zech had served Springettsbury Township very well. Chairman Schenck commented on the honor and respect shown during the motorcade trip to East Berlin. He extended sympathy to the family of Nathan Zech.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri called for a Moment of Silence for Nathan Zech's family, friends and the Police Department. Following that he asked Pastor Brian McClinton of Mt. Zion Lutheran Church, 2164 Mt. Zion Road, to offer a blessing upon the meeting.

**MCCLINTON** Pastor McClinton prayed for Nathan Zech's family and wisdom for the leadership of Springettsbury Township.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held at 6 p.m. this date to discuss legal matters surrounding the Pasch litigation, CHR Zoning Issue, ACLU lawsuit and some personnel issues regarding the labor contract.

**3. COMMUNICATION FROM CITIZENS:**

**Penn Waste – Rate Issues**

- PALMER** Mr. David Palmer of 2640 North Sheridan Road, asked about the signs indicating Springettsbury Township, Incorporated, 1891. He asked why a government body would be incorporated.
- RAUSCH** Solicitor Rausch stated that Springettsbury Township is a municipal corporation, which received its charter at that time.
- PALMER** Mr. Palmer reported that he had received a letter from Penn Waste dated February 24, 2004 where Penn Waste increased their rates for the garbage. When he had reviewed the contract, he learned it was a three-year contract, and no rate increase was permitted. He felt the practice was unfair to other bidders and wondered whether the Board was aware of that increase.
- HOLMAN** Mr. Holman noted that the information had been noted in the newsletter.
- SCHENCK** Chairman Schenck asked whether he referred to the rates going into affect next year, 2005.
- PALMER** Mr. Palmer indicated the letter was dated February 24, 2004 and the increase had been added during 2004. The rates were not included in those to be introduced January 1<sup>st</sup>.
- HOLMAN** Mr. Holman asked Mr. Palmer to leave a copy of the communication with him for review. He noted that he, personally, pays the exact amount as stated in the contract.
- BISHOP** Mr. Bishop stated for clarification that there was absolutely no way that the contractor billed different rates or started at a higher rate.
- PALMER** Mr. Palmer asked how a resident could sign up for the specific programs, i.e., one bag or three bags, etc.
- SCHENCK** Chairman Schenck responded that it was totally up to the homeowner to decide. All that is necessary is to contact Penn Waste and select the choice.
- HOLMAN** Mr. Holman added that notices had gone out to all homeowners concerning the options.
- PALMER** Mr. Palmer indicated he would like to schedule an appointment to review his information.

**HOLMAN** Mr. Holman responded that he would be happy to sit down with him. He suggested that he telephone Mrs. Bowders to schedule an appointment.

**GREENAWALT** Mr. Bill Greenawalt, 2540 Schoolhouse Lane, commented that he had read in the newspaper that a committee was being formed to help develop a new trash contract. He volunteered for that committee and would very much like to be involved.

**BISHOP** Mr. Bishop stated for clarification that there is no separate committee just for the purpose of looking at a new contract. It is the Recycling Committee of Springettsbury Township.

**GREENAWALT** Mr. Greenawalt also discussed the fact that within the contract it had directed that the contractor should put the trash cans back in the place they found them. He produced several photographs to indicate that this was not being done. He hoped that it could be called to the attention of the contractor.

**SCHENCK** Chairman Schenck responded that his comments were appreciated and would be passed on to the contractor.

**STUHRE** **Left Turn Signal – Pleasant Valley/Mt. Zion**  
Mr. Charles Stuhre, 3680 Trout Run Road, spoke about the traffic on Pleasant Valley Road and Mt. Zion Road. He had experienced undue delays in attempting to make a left turn through three traffic lights. He asked what had been learned from the surveys done.

**HOLMAN** Mr. Holman responded that the survey had not been done because there was a problem with software. As soon as the software problem is corrected, the survey will be completed.

**HODGE** **No Left Turn – Hartford Road**  
Mrs. Cindy Hodge, 2675 Hartford Road, stated she had written to Mr. Lauer and to PennDot concerning her suggestion which related to alleviating accidents occurring at Hartford Road and Mt. Rose Avenue by eliminating left turns at Hartford Road. She had been advised to visit a Township meeting with her proposal. She suggested that it would much safer to turn left at the Cambridge Road entrance. She was aware that enforcement of the no-left turns would be an issue. Following review of her suggestion, she understood that PennDot would have to be notified.

**SCHENCK** Chairman Schenck asked Mr. Luciani which road would dictate which government entity should do the traffic study.

**LUCIANI** Mr. Luciani responded that the Township would be responsible to request the traffic study. It would involve a state intersection; however, the Township would be responsible for enforcement. He did not think PennDot would oppose making an intersection safer.

**HODGE** Mrs. Hodge stated that during a discussion with a gentleman at PennDot, he indicated agreement. She understood that procedures must be followed to determine what could be done.

**LUCIANI** Mr. Luciani indicated that during previous traffic and engineering studies Cambridge Road had not met signal warrants. Step one would be the traffic and engineering study. The Township would then review the results of that study and make specific recommendations. An Ordinance would be adopted and communicated with PennDot.

**BISHOP** Mr. Bishop indicated serious concerns whether it would actually do any good. He agreed that it was something for review. He had noted many no left turn situations and even those with pork chops and little barriers and had seen motorists making those movements anyway.

**LUCIANI** Mr. Luciani stated that the turn around time for traffic and engineering studies would be less than a month.

**RAUSCH** Solicitor Rausch suggested that the merge lane be cut short.

**HODGE** Mrs. Hodge responded that it might back up the traffic. However, merging sooner would be an option. She thanked the Board for listening, and she left copies of her correspondence with Mr. Holman.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that all of the close out documents had been received from the contractor, as well as an application for final payment related to the Solids Dewatering project. The Change Order work was completed and the new valves and fly gates were installed. Everything is working well, and the project should be completed by the December meeting.

The second half of the Bar Screen and Septage Receiving project had been started up. Haulers have been coming in and using it on

a daily basis and it is working well. An ATM machine is used to make deposits and get a receipts.

A Plan of Action was put together for the BNR Study. All the prices should be in to do some of the pilot testing by Thanksgiving. The biggest cost will be the by-pass pumping. Sewage will be pumped around the plant using empty primary clarifiers; however, some large pumps will be operating there for a few months.

**SCHENCK** Chairman Schenck asked whether the Township will have to rent the large pumps.

**SCHOBER** Mr. Schober responded that they are fairly sizable pumps and would be rented.

**SCHOBER** Mr. Schober indicated that the recalculation of the tapping fees is nearly complete. Because of some new legislation in place, the tapping fee will be reduced and will go into effect in June of 2005. More information will be provided to Mr. Holman prior to the next meeting.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that he attended a PSATS Engineering Seminar, one which he typically attends annually. He stated that good information is provided, and he will be transmitting to the township staff and Board members some of the traffic signal management, annual costs, new technology and some items the Township already has in place, such as the new LED lights to save money. He mentioned one of the points was that with tiny signals the capacity of intersections can be decreased by 40%. The seminar covered a whole range of municipal engineering. He mentioned several interesting topics, one of which was waterless urinals, which are greatly improved.

**LUCIANI** Mr. Luciani had met with Mr. Hadge and Mr. Lauer to discuss GASBY 34, which documents a value on the current road system in Springettsbury Township. The initial estimate of road values, \$108 million, was compared with the PennDot records. Those numbers had to be adjusted.

**LUCIANI** Mr. Luciani reported that he met with the Project Manager for the Route 30/Eden Road Project. The businesses out there have indicated a desire to have some directional signs; however, PennDot's response was that any signs in the right-of-way would have to be approved by the Department.

**HOLMAN** Mr. Holman interjected that he had spoken with the legislative representatives, and they will help the Township with regard to the road and businesses affected. He will be meeting with a representative in the Governor's office.

**5. ACCOUNTS PAYABLE:**

- A. Kinsley Construction, Inc. – Eden Road Relocation Project – Progress Billing No. 3 in the amount of \$73,654.96**
- B. Regular Payables as Detailed in the Payable Listing of November 17, 2004**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

There were none for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-04-11 – Saturn of York – Time Extension to 1/31/05**
- B. SD-04-13 – Saturn of York – Time Extension to 1/31/05**

**MR. GURRERI MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR LD-04-11 AND SD-04-13, SATURN OF YORK TO 1/31/05. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. SD-04-14 – Richard Schiding Subdivision – Action**
- D. SD-04-15 – Michael Mitrick Subdivision – Action**

**BELEN** Mrs. Belen provided background information on items C and D and indicated that both items would be handled together. An informational memorandum was presented dated November 10, 2004. The Schiding property is 30.861 acres used for residential purposes. The purpose of the plan is to convey Lot 2 to the adjacent property owned by Michael F. Mitrick. Lot 1 will continue as a residential use. No development is proposed by this subdivision. She provided a diagram in order to explain the combination more clearly. In addition, she provided some photographs showing views of both properties. Planning Commission recommended approval of the waivers and conditions, and most of the outstanding items had been addressed. Staff recommended approval of the plan with several waivers.

**GURRERI** Mr. Gurreri asked where the sidewalks would go.

**BELEN** Mrs. Belen responded that the sidewalks would be on Mt. Zion Road if required; however, there are no sidewalks in that area.

**GURRERI** Mr. Gurreri suggested to put a six-month note on the plan because some day there will be sidewalks there. A six-month note would provide for that in the future.

**BAUGH** Mr. Baugh stated that the issue would be determined during the Land Development process; however, the land may never be developed. It was noted that the engineer had already taken care of adding the six-month note.

**LUCIANI** Mr. Luciani stated it was appropriate to make a condition for a 6-month note that curbs and sidewalks be added.

**MR. BISHOP MOVED, WITH RESPECT TO SD-04-14, TO:**

- **GRANT A WAIVER OF PRELIMINARY PLAN,**
- **GRANT A WAIVER OF TRAFFIC STUDY,**
- **GRANT A WAIVER FOR STREET WIDENING, AND**
- **APPROVE THE PLAN CONTINGENT UPON THE ADDITION OF THE TOWNSHIP STANDARD SIX-MONTH NOTE WITH RESPECT TO ADDING CURBS AND SIDEWALKS.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BELEN** Mrs. Belen provided background information concerning the Mitrick plan. She indicated there are no plans for development on either lot. The Planning Commission recommended the waivers listed in the November 10, 2004 memorandum and the approval of the plan with the conditions listed in the memo. Most of the outstanding items had been addressed. Staff recommended approval of the plan with several waivers.

**SCHENCK** Chairman Schenck noted there was no frontage on Mt. Zion at all and there would be no sidewalk issues.

**MR. GURRERI MOVED TO APPROVE THE SUBDIVISION 04-15, MICHAEL MITRICK SUBDIVISION TO GRANT**

- **WAIVER OF PRELIMINARY PLAN,**
- **GRANT A WAIVER OF TRAFFIC STUDY,**
- **APPROVE THE PLAN AS PRESENTED.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented that lot lines, reverse subdivisions had been done in the past to clean up property lines. In both of the plans there would not be any new buildings. He wondered about holding this type of action to the same standard as the general rules.

**BAUGH** Mr. Baugh responded that he and Mr. Luciani had discussed the matter with the possibility to provide for a minor subdivision plan. However, even a minor lot line situation could be a major issue. The determination was made that the best way to go about it is to grant the waiver as opposed to having different regulations. He added that it was an issue that could be discussed.

**LUCIANI** Mr. Luciani agreed with Mr. Baugh. He indicated that the property deed descriptions that are recorded could be written by anybody, realtor, attorney and it becomes a real record. As part of Township requirements it cleans up rights-of-way issues, encroachments of buildings, and is an opportunity to clean up bad records over time.

**E. LD-04-03 – Concord Properties 1 – Action**

**BELEN** Mrs. Belen provided background information on LD-04-03, 3687 Concord Road as documented in a November 10, 2004 memorandum. The current use is professional office and will remain the same. The tract includes a 16,900 square foot renovated “bank barn” and site infrastructure. Total parking spaces as proposed at the time of initial construction will be 104; applicant requested to delay construction of 111 total parking spaces until the spaces are needed. Quantity control of additional storm water runoff is proposed by a subsurface storage system. Planning Commission

**BISHOP** Mr. Bishop noted for clarification that the difference between 104 and 111 is not 111 spaces, but rather it is only 7.

**BELEN** Mrs. Belen reported that Planning Commission recommended the waivers and modifications as noted in the memorandum. Approval of the plan was recommended with same waivers and modifications. The plan had come before the Board of Supervisors on August 26<sup>th</sup>. At that time the Board had voted to grant the waiver of submittal of traffic study. Staff recommended approval of the plan with several waivers and modifications. Several photographs were shown for further clarification.

**SCHENCK** Chairman Schenck asked what had significantly changed from the plan since the last time it was brought before the Board.

- BIEBER** Tim Bieber, Nutec Design, responded that he understood the Board was not willing to remove the six-month note for sidewalks. That was the only difference; it was the same plan.
- SCHENCK** Chairman Schenck asked whether the six-month note had been added because the last time the plan was before the Board the developer's position was that they did not want the note.
- BIEBER** Mr. Bieber responded that the developer has not changed his position but recognized the situation.
- BISHOP** Mr. Bishop commented that the language used previously had been changed. It was different from the standpoint that the Board was not waiving curbs, only sidewalks.
- BIEBER** Mr. Bieber stated that curbs completely surrounded the property. This was tailored specifically for this plan.
- BISHOP** Mr. Bishop asked how to determine what sidewalks would be required inasmuch as they are not on the plan, provided the Township would exercise the option with the note.
- BIEBER** Mr. Bieber responded that the Township could require a portion of sidewalks. He thought it would be left open.
- SCHENCK** Chairman Schenck asked Mr. Luciani whether the note represented Township specifications.
- LUCIANI** Mr. Luciani stated that if sidewalks were to be constructed, there are construction material standards along with standard sidewalk detail with curbing and grass strips.
- SCHENCK** Chairman Schenck posed a scenario that if the Township enacted the note, and the developer came back and said the sidewalks couldn't be placed where the ordinance required, then they would come back for some type of waiver.
- BIEBER** Mr. Bieber responded that would occur in this case, just from the fact that the Township probably would not want the landscaping taken out in order to install sidewalks. Other potential solutions were discussed.
- DVORYAK** Mr. Dvoryak thanked Mr. Baugh for his time and for taking him out to the site for review and explaining the situation concerning the six-month note, which he thought was satisfactory.

**GURRERI** Mr. Gurreri stated that the only problem he had with it was that last year the Board approved it and waived the sidewalks for good reason, and now they're not being waived. He had a problem with changing his mind without a good reason. It does not seem right to give a waiver and then take it back. He did not think sidewalks are needed there especially if landscaping must be removed.

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT-04-03, CONCORD PROPERTIES FINAL LAND DEVELOPMENT TO:**

- **GRANT A WAIVER OF SALDO §304 TO ALLOW SUBMISSION OF PLANS AS FINAL,**
  - **GRANT A WAIVER OF SALDO §307 SUBMITTAL OF PLAN WITH SCALE 1"=50',**
  - **GRANT A WAIVER OF SALDO §307( R ) SHOWING EXISTING FEATURES WITHIN 400 FEET OF THE PROPERTY,**
  - **GRANT A WAIVER OF STORM WATER §7.a STORM WATER MANAGEMENT REQUIREMENTS TO ALLOW THE APPLICANT TO DO THE STORM WATER ANALYSIS USING THE SITE AS IT CURRENTLY EXISTS RATHER THAN TAKING IT BACK TO MEADOW,**
  - **GRANT A MODIFICATION OF SALDO §408.1 SIDEWALKS,**
- AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**
- **PROVIDING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

**MR. BISHOP WAS SECOND. MOTION CARRIED. MESSRS. BOWMAN, BISHOP, SCHENCK AND DVORYAK VOTED YES; MR. GURRERI VOTED NO.**

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck reported that early Saturday morning he went to get tires at Nello Tire. He then walked up to Denny's for breakfast and had been pleasantly surprised that the Board had been wise enough to put sidewalks in that whole strip.

**GURRERI** Mr. Gurreri reported that he had attended a Police Pension Board meeting in October with Fulton Financial and Legacy Trust. The funds operate with equity of 50% and fixed income of 50%. They're averaging about 4-1/2%; the goal is for 7-1/2%. Mr. Zimmerman, the Actuator indicated that with the way the market is, it was probably where it should be. The next meeting is February 3, 2005 at 9 a.m. It will be an advertised meeting and all the Board members can participate.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that he had several items that needed Board approval, the FIRST involving CHR Corporation Zoning Appeal. Township agreed with this action. He provided the background and concessions made of the appeal. He recommended that the Board approve the settlement agreement with CHR to resolve all outstanding issues regarding the zoning and authorize the Solicitor to execute the agreement.

**MR. BISHOP MOVED TO AUTHORIZE APPROPRIATE TOWNSHIP OFFICIALS TO EXECUTE A STIPULATED AGREEMENT SETTling THE LAND USE APPEAL BETWEEN SPRINGETTSBURY TOWNSHIP AND CHR CORPORATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri commented that he would rather see a convenience store at this location than another less appropriate use.

**RAUSCH** Solicitor Rausch stated that the other item concerned the lawsuit filed by the ACLU concerning the parade and demonstrations. The Township had since revised the ordinance which renders the lawsuit mute, resulting in a judgment filing. However, since the matter involved the civil rights section, it allowed for attorney's fees to be awarded to the Plaintiff, which in this case are approximately \$7,800. Solicitor Rausch recommended that the Board authorize filing a motion concerning the judgment and approve attorney's fees of approximately \$7,800 in order to resolve the lawsuit.

**MR. DVORYAK MOVED TO AUTHORIZE THE SOLICITOR TO FILE A MOTION CONCERNING THE JUDGMENT APPROVING ATTORNEY'S FEES IN THE AMOUNT OF APPROXIMATELY \$7,800. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman requested that the Board accept the proposed budget as introduced by formal motion.

**MR. BISHOP MOVED TO ACCEPT THE PRELIMINARY BUDGET AS PRESENTED. MR. BOWMAN WAS SECOND.**

**DVORYAK** Mr. Dvoryak wanted to make sure that changes could be made to the proposed budget.

**BISHOP** Mr. Bishop responded that was one of the reasons he had very specifically said “preliminary budget”.

**SCHENCK** Chairman Schenck recalled in previous years that during the very first budget meeting the Board would authorize the proposed budget and that it be advertised. He was not sure that had been done this year; however, this action cleans that up for the future.

**HOLMAN** Mr. Holman responded he would make sure that would be noted for future budgets.

**MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman reported that a meeting had been held earlier this date on the Holiday Tree Lighting scheduled for Thanksgiving weekend. He asked Teri Markley to present the status.

**MARKLEY** Teri Markley provided a brief look at the Holiday Tree Lighting. She stated that the relationship with Susquehanna Radio had been expanded to include the Holiday Tree Lighting. In the past every year WSBA presented the Christmas Wish. It provided necessities for people who found themselves in need over the holiday period. The Holiday Tree of Giving was developed for this year. She itemized the program for the evening, which included a tree lighting ceremony, dedication to Mrs. Mitrick, music and entertainment in the amphitheater and refreshments.

**HOLMAN** Mr. Holman thanked the staff for their work on the Holiday Tree Lighting, especially Teri Markley, who had worked very hard on it. He also thanked the staff for their work on the budget. He looked forward to finishing the process at adoption December 9<sup>th</sup>.

**GURRERI** Mr. Gurreri asked Mr. Holman about a note in his report which mentioned the Recreation Committee attended a meeting concerning the trash contract. He asked whether he meant the Recycling Committee.

**HOLMAN** Mr. Holman responded that it was a typo and meant Recycling. He thanked Mr. Gurreri for the correction which he will note in his report.

**GURRERI** Mr. Gurreri commented on the gentleman who asked to be included in the committee to go over the trash contract. Mr. Gurreri wanted to be included in that as well.

**BISHOP** Mr. Bishop stated that no committee had been formed.

**HOLMAN** Mr. Holman indicated that he had attended the Recycling Committee meeting. Copies of the trash contract and renewal had been requested, which he provided to them. The Recycling Committee will review the documents based on any comments they received on the trash contract. All Board members are invited to attend their meetings.

**SCHENCK** Chairman Schenck commented that where the confusion might be is that the Board had asked the Recycling Committee to involve the public as much as possible as their meetings are held. He agreed with Mr. Bishop that there was no committee.

**GURRERI** Mr. Gurreri stated that there had been enough people had come to meetings complaining about the trash contract. He realized that not all the statements made were the trash contractor's fault; however, there are some problems that need to be reviewed.

**BISHOP** Mr. Bishop noted that he thought the Board had decided to look at the contract and hold a public meeting. He did not think that this was something to delegate to someone else. The Board can get the advice of the Recycling Committee, which will be done, and invite the public to participate with the Recycling Committee, but this Board needed to be responsible for the leadership.

**HOLMAN** Mr. Holman added that the comments from the Board were to advertise this meeting in the next newsletter. The Recycling Committee requested the information because they are beginning to work on it and develop their information.

**SCHENCK** Chairman Schenck stated that there would be more than one meeting. There will be Work Sessions as a Board on this topic. Input will be taken from the Recycling Committee and the public. All Board members are part of that committee.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-12 – Establishing and Re-Establishing Paid Firemen Pension, Death and Disability Fund for Full-Time Paid Firemen**

**HOLMAN** Mr. Holman stated that some personnel work remained to be completed. He requested that action on this ordinance be held until the next meeting, December 9<sup>th</sup> and added that it would be within the 60-day advertising time frame.

**Consensus of the Board was agreement to hold action on Ordinance No. 04-12.**

**B. Resolution No. 04-70 – Recognition of Lori Mitrick**

**MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 04-70, RECOGNITION OF LORRAINE O. MITRICK. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-71 – Boop Sewage Module**

**MR. DVORYAK MOVED TO APPROVE THE JOHN BOOP SMALL FLOW WASTEWATER TREATMENT FACILITY SEWAGE PLANNING MODULE FOR AN INDIVIDUAL LOT CONDITIONED UPON:**

- SIGNING AND RECORDING AN AGREEMENT BETWEEN THE APPLICANT AND SPRINGETTSBURY TOWNSHIP REGARDING THE OPERATION AND MAINTENANCE OF THE FACILITY,**
- ISSUANCE OF AN ON-LOT SEWAGE PERMIT APPROVED BY THE SPRINGETTSBURY TOWNSHIP SEWAGE ENFORCEMENT OFFICER, AND**
- INSPECTION AND APPROVAL OF ALL PHASES OF INSTALLATION OF THE FACILITY BY THE SPRINGETTSBURY TOWNSHIP SEWAGE ENFORCEMENT OFFICER.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-72 – Accepting Offer of Dedication for Public Use a Portion of Eden Road**

**MR. GURRERI MOVED TO ACCEPT RESOLUTION 04-72, ACCEPTING OFFER OF DEDICATION FOR PUBLIC USE OF A PORTION OF EDEN ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – October 28, 2004**

**MR. DVORYAK MOVED FOR APPROVAL OF MINUTES OF THE BOARD OF SUPERVISORS MEETING OCTOBER 28, 2004 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Work Session – November 3, 2004**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION NOVEMBER 3, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**BISHOP** Mr. Bishop commented that a response had been taken to actions of the Zoning Hearing Board. He believed he had heard that either the Manager or the Board will be receiving some recommendations from Mr. Baugh with respect to whether anything needed to happen. He asked whether any time table had been set.

**HOLMAN** Mr. Holman responded that he would be providing the Board with comments and recommendations prior to the December 9<sup>th</sup> meeting.

**GURRERI** Mr. Gurreri asked about the meeting date for the trash contract in February.

**HOLMAN** Mr. Holman responded that a fixed date had not been scheduled. The announcement will be coordinated with the newsletter.

**GURRERI** Mr. Gurreri noted that the newsletter would be sent out in January.

**HOLMAN** Mr. Holman agreed as long as the time frame could be met.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of October 31, 2004 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE OCTOBER 31, 2004 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge and Acceptance of Receipt of Resignation from Police Pension Board**

**SCHENCK** Chairman Schenck noted that Mr. Holman had mentioned the item in his Manager's Report.

**HOLMAN** Mr. Holman stated that one member was resigning his position but staying on the Board and one was resigning as Secretary. He suggested to just acknowledge and accept the receipt of these resignations.

**GURRERI** Mr. Gurreri asked whether anyone had discussed the resignations with the individuals.

**HOLMAN** Mr. Holman suggested to accept the resignations as submitted. He had requested that the union forward replacement names. The secretary will not need to be appointed until the January meeting.

There is no impact on the fund as there are seven members and five members are present.

**GURRERI** Mr. Gurreri stated that there is a definite need to have someone from the department on the board.

**HOLMAN** Mr. Holman responded that Sgt. Trott will remain on the board; he resigned as secretary but not from the board. The other one was a resignation from the board.

**BISHOP** Mr. Bishop asked whether Sgt. Trott's intention was clear.

**HOLMAN** Mr. Holman stated he sent a letter in response to his resignation indicating that it would be addressed at the Board meeting. He had received no reply to that letter. It was Mr. Holman's understanding that he was not resigning from the board.

**GURRERI** Mr. Gurreri indicated he would like to have someone in mind before accepting the resignations. He felt that someone should discuss it with them.

**HOLMAN** Mr. Holman stated he would meet with him as the Manager.

**BISHOP** Mr. Bishop agreed with the suggestion.

**SCHENCK** Chairman Schenck suggested to hold any action and that Mr. Gurreri should meet and discuss the matter with Sgt. Trott.

**Consensus of the Board was agreement to hold any action on item B.**

**C. Adoption of New Application Form for Holding Parades and Public Assemblies**

**SCHENCK** Chairman Schenck asked whether the Board had always approved forms.

**HOLMAN** Mr. Holman responded that since the ordinance had just been re-adopted, he brought this particular form forward to be adopted by the Board as part of that ordinance. It is not the ordinance but incorporates the changes that were made in the ordinance so it should be approved by the Board, and in so doing it will be the standard form used.

**SCHENCK** Chairman Schenck asked Solicitor Rausch whether he had reviewed the form.

**RAUSCH** Solicitor Rausch indicated he had.

**MR. BISHOP MOVED TO ADOPT THE NEW APPLICATION FORM TO HOLD A PARADE OR PUBLIC ASSEMBLY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman updated the Board on the Eden Road project with Kinsley. A meeting had been held this date and revealed that the project may be completed by December 21<sup>st</sup>. There may be a ribbon cutting to open up the new road, and he will be back in touch with the Board with more information.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:34 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 17, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 17, 2004 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Jack Hadge, Finance Director  
Andrew Stern, Assistant to Township Manager  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenk called the Work Session to order at 6:30 p.m. He stated that the purpose of the meeting was for the Board of Supervisors to review the 2005 Budget. He asked Mr. Holman, Township Manager, to lead the presentation.

**2. PRESENTATION OF PROPOSED 2005 BUDGET:**

**HOLMAN** Mr. Holman stated that this was the second presentation of the entire budget as proposed to the Board. The Budget information had been provided by all the Directors. Work Sessions had been held with the Directors, as well as Jack Hadge, the Finance Officer. Work Sessions were held with the Board of Supervisors on November 3<sup>rd</sup> and 12<sup>th</sup> of 2004. The proposed adoption date of the Budget would be December 9, 2004 if approved by the Board of Supervisors. The advertisement of the Budget appeared in the newspaper as of November 17, 2004. A copy of the proposed Budget information had been made available for review at the Receptionist's desk. The proposed Budget will be placed on the website as well.

Mr. Holman provided a Power Point presentation explaining the process and reviewing the proposed budget. He mentioned an aggressive road improvement and maintenance program had been put into place. Most of the future planning will be done through the Comprehensive Plan project where a review will be made of finances, personnel, future costs and planning. He encouraged residents to become involved in the process. At the conclusion of his presentation, Mr. Holman thanked the Board for their time and attention, and thanked the Directors and others for their help in the preparation of the budget.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 17, 2004  
APPROVED**

**HOLMAN** Mr. Holman asked for a motion to introduce the Budget from the Board.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 12, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 12, 2004 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO PRESENT:** John J. Holman, Township Manager  
James Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Jack Hadge, Director of Finance  
Andy Hinkle, MIS  
Charles Lauer, Director of Public Works  
Betty Speicher, Director of Human Services  
David Wendel, Director of Recreation

The Board of Supervisors held a work session on the above date and time. The purpose of the work session was to discuss the 2005 proposed budget.

Mr. Holman presented a PowerPoint presentation on the proposed 2005 General Fund. Mr. Holman highlighted the following:

- 2004 Adopted Budget Amount \$17,677,500
- 2005 Proposed Budget Amount \$19,702,000
- 2004 Proposed Expenditures \$8,959,000
- 2005 Proposed Appropriations \$10,225,000
- 2004 Proposed Revenue \$8,959,000
- 2005 Proposed Revenue \$10,050,000
- 2004 Estimated Surplus Fund Balance \$2,840,000
- 2005 Estimated Surplus Fund Balance \$1,910,000

Account 10401 (Township Manager)

- Vehicle replacement
- Full time clerical position

Account 10402 (Finance)

- Staff training in MUNIS

Account 10405 (Administration)

- Newsletter costs have risen
- Rental of new color copier

Mr. Holman explained to the Board that he would like to combine the 10401 and 10405 accounts in Budget 2005.

Account 10407 (MIS)

- Purchase of 6 new computers
- Purchase of time card swipe system for hourly employees to meet FLSA regulations

Account 10410 (Police)

- Purchase of 3 new police vehicles
- Vehicle equipment expense (10410-23210) funds will be shifted into Public Works account (10430-23210).

Account 10414 (Community Development)

- \$100,000 for Comprehensive Plan

Mr. Holman noted that a grant has been submitted for the Comprehensive Plan costs.

Account 10430 (Public Works)

- Fuel prices have risen drastically
- Full time clerical position (to be shared 50/50 with Recreation Director)

Discussion followed regarding funds for road maintenance.

**Consensus of the Board was to raise taxes in 2005 one tenth of a mill to be designated for repair and maintenance of roadways.**

Account 10451 (Recreation)

- Rental/lease account (10451-46110) has risen due to York Suburban School District charging Township for use of their facilities.
- Increased usage of parks
- Level of participation in programs has increased

Account 10457 (Community Celebrations)

- Move 10457-22110 into Account 10451 (Recreation)
- Move 10457-29110 into Account 10414 (Community Development)

Account 10487 (Benefits)

- Increase in police pension

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 12, 2004  
APPROVED**

Account 10489 (Interfund Operating Transfers)

**Consensus of the Board was to transfer funds from the General Fund to the Fire Fund in the amount of \$140,000. This is in lieu of placing a millage tax for the Fire Fund.**

The next budget work session is scheduled for November 17, 2004 at 6:30 p.m.

Chairman Schenck adjourned the meeting at 9:40 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 3, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 3, 2004 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Jack Hadge, Director of Finance  
Mark Hodgkinson, Director of Wastewater Treatment  
Andrew Stern, Managing Director of Fire & Emergency Services  
David Wendel, Director of Recreation

The Board of Supervisors held a work session on the above date and time. The purpose of the work session was to discuss the 2005 proposed budget.

Mr. Holman presented a PowerPoint presentation on the proposed 2005 Sewer Fund and 2005 Other Funds.

The next budget work session is scheduled for November 12, 2004 at 7:00 a.m.

Chairman Schenck adjourned the meeting at 8:45 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 28, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular meeting on Thursday, October 28, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri greeted the attendees. He encouraged everyone to vote during the November 2<sup>nd</sup> election. He offered a prayer and led the Pledge of Allegiance.

**B. Presentation by Susquehanna Radio**

**BISHOP** Mr. Bishop called the leaders of the Second Annual Springettsbury Saturday-In-The Park event forward for a presentation. He commented that the recruitment of a few good leaders produced an amazing result. Mr. and Mrs. Don Eckert were key volunteers. Don Eckert covered the logistics and Delle Eckert coordinated all the rest of the volunteers who helped. Mr. Wendel and Mr. Holman coordinated the efforts by Susquehanna Radio sponsorships, which raised a fair amount of money, resulting in not having to spend taxpayer money for a fun day in the park.

**DELANCEY** Mr. Rich Delancey, along with General Manager Tina Heim, presented Springettsbury Township with a check for \$22,842.50 on behalf of Susquehanna Radio.

**BISHOP** Mr. Bishop thanked Mr. Delancey and indicated that the Township has a very special partnership with Susquehanna Radio. He announced that another event is scheduled for the Holiday Tree of Giving ceremony on November 27<sup>th</sup>. A lot of coverage will be provided on the radio, and it will be great opportunity to raise funds for other charities, in addition to Springettsbury Park.

**DELANCEY** Mr. Delancey stated that there will be concerts, a tree dedication ceremony, cookies and hot chocolate.

**BISHOP** Mr. Bishop added that Mr. Wendel had spent a considerable amount of time and effort to assure a successful Saturday-In-The-Park. He indicated he appreciated working with Mr. Wendel and thanked him, as well as everyone involved, for their help.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that no Executive Sessions had been held and none were scheduled.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck stated that this was the time when citizens could come forward and express their concerns, complaints or compliments. He asked that each participant use the microphone, state name and address for the record and keep their comments brief and to the subject.

**Trash**

**PALMER** Mr. Dave Palmer, 2640 North Sheridan Road, provided a commentary concerning the Township's contract with Penn Waste. He pointed out that there are a tremendous amount of residents who are upset with the contract. He thanked the Township for providing information he had requested concerning the law which is being enforced against his mother. He stated that his mother recycles her own waste and recycles 98% of it through the use of a compost pile. What trash she generates amounts to about one bag per month, which he handles at the incinerator or the land fill. His mother is contesting the entire issue. He presented a letter to the Board as proof that he, personally, is not contesting it. Mr. Palmer asked whether he could obtain the signed contract with Penn Waste in order to review it prior to his mother's court date February 4<sup>th</sup>.

- HOLMAN** Mr. Holman responded that he could pick up a copy at the Township Office, as it is a public document. He added that there would be a copying fee.
- PALMER** Mr. Palmer added that he wanted to include in his remarks that there had been a lot of nasty things said about the Board, but he wanted the Board to know that he thought the Board consisted of a tremendous bunch of people working together and doing a tremendous job. There are things that are being misconstrued and he wanted to point out that nothing would be done underhanded. He asked if there was any problem to please let him know and he would address it.
- STUHR** **Trash, Traffic Lights, Police Patrol, Buses**  
Mr. Charles Stuhr of 3680 Trout Run Road, commented on several items of concern. First, he reported that they were still getting a lot of trash, such as beer cans, bottles, thrown out by deer spotters, on his front lawn. He requested some better patrolling. He added that the traffic light at Pleasant Valley Road and Mt. Zion needed left turn arrows for both directions to enhance better traffic flow. In addition, he requested that before another trash contract was approved, he would like to see an alternative added for the situation where individuals have minimal amounts of trash for just bag pickup only. He commented on the number of school buses and suggested the buses should be filled, have a transfer point and students dropped at their respective schools in order to be more efficient. He added that the school bus drivers should drive the speed limit and he suggested further patrolling of buses.
- SCHENCK** Chairman Schenck asked Mr. Luciani about the intersection issue. He knew it had been studied carefully.
- LUCIANI** Mr. Luciani responded that he would have to review the previous studies. He recalled that some minor widening would be needed to accommodate a turn lane in there.
- STUHR** Mr. Stuhr added that the lane was not designed for stacking.
- LUCIANI** Mr. Luciani stated he would review the intersection and respond back to the Board.
- MCCARTHY** **Trash**  
Mr. Ed McCarthy, 2640 Kingston Road, spoke about trash. He had visited the Board several times over the last few years about the trash situation. He suggested that for next year the Township put the contract out for bid, have bids posted with the contract so

that all residents could make the decision on what they would like or offer suggestions as to what they would like. He commented on the methods the trash contractor had used toward residents, which have made residents very unhappy.

**MCCARTHY** **Snow Plow Damage**  
Mr. McCarthy addressed Mr. Holman and indicated he had called him on April 18<sup>th</sup> about the snow plow hitting the corner and putting a big crack in his sidewalk. Mr. Holman had responded that the supplies had just been received, and he would see that it would be taken care of. As of October 28<sup>th</sup> nothing had been done. He requested some white sealer put in that crack before winter weather.

**HOLMAN** Mr. Holman indicated he would check on the matter with Mr. Lauer.

**COLEMAN** **Trash**  
Mr. Bill Coleman, 540 Hammond Road, stated he had lived in Springettsbury Township since 1949. He addressed the trash contract. He asked Mr. Holman whether the contract was in place for one year or three years.

**HOLMAN** Mr. Holman responded that the contract has a renewal of one year with an option for yearly renewal for three years.

**COLEMAN** Mr. Coleman stated that he had used a number of trash haulers. He personally was not satisfied with Penn Waste. He cited a case where his wife had a friend who had passed away. For four months she had to pay trash bills, and there was no trash generated or tonnage to pick up. Mr. Coleman had met with Penn Waste about erroneous billing where he had been billed for something that was not part of the bid package. He thought their business practices needed to be investigated. He asked about billing residents who are on vacation when other deliveries are stopped.

**SCHENCK** Chairman Schenck indicated that the billing for trash could be included with taxes. He stated that the Board will review the contract carefully before approval and added that a tremendous amount of work goes into creating a trash contract. The one in place is what the Board had created and finalized.

**COLEMAN** Mr. Coleman indicated he had not realized that an Ordinance had been passed concerning trash removal. He asked why Penn Waste was bringing up these items now after 2-1/2 years of this contract.

He questioned their business ethics and why residents are being billed for services that are not provided.

**BISHOP** Mr. Bishop asked what services Penn Waste was trying to bill for that were not provided.

**COLEMAN** Mr. Coleman responded it was for trash pick up whether living there or not.

**BISHOP** Mr. Bishop commented that the contract did not make any provisions for that and it could not be blamed on Penn Waste.

**COLEMAN** Mr. Coleman stated that there was nothing in the contract indicating a resident has to pay for pick up whether there or not.

**BISHOP** Mr. Bishop stated that the ordinance included a requirement to pay and makes no provisions for people who are in Florida or who are not using the services. That was the way the contract was written.

**COLEMAN** Mr. Coleman recalled being erroneously billed for totter services. He urged the Board to review the contract because the issues won't disappear.

**BISHOP** Mr. Bishop commented that the decision to convert from not having a contract hauler to having one hauler was not a unanimous decision by this Board. Not everyone was in favor of that.

**SCHENCK** Mr. Schenck added that in government, a low bid must be accepted. It's the law.

**GURRERI** Mr. Gurreri noted that during every meeting someone had addressed the Board about garbage. If the Board decided to go out for bids again, it would have to be done early in 2005.

**HOLMAN** Mr. Holman stated that the review should begin in January in order to begin working on bid specifications to provide enough time to finish by August or September.

**GURRERI** Mr. Gurreri suggested to form a committee to determine whether to change the contract and look at the options, as there are many different approaches, such as Tag-A-Bag, including it in the taxes, etc.

**BISHOP** Mr. Bishop indicated that it should be placed on the Agenda for discussion. He thought that the Board was clear on the issues.

- HOLMAN** Mr. Holman suggested the Recycling Committee would be of help and to begin in January. He stated that previously the other Township Managers had helped by providing their bid specifications.
- BOWMAN** Mr. Bowman asked whether any other townships have in their contract a no charge clause for people who go to Florida or whether they pay for trash year around.
- HOLMAN** Mr. Holman indicated that he had never known any municipalities where the residents did not pay for trash year around. It is a service provided for safety, health and welfare.
- BOWMAN** Mr. Bowman noted that if it were written into the specifications it would likely add an extra expense.
- GURRERI** Mr. Gurreri offered his time to help.
- GRIESS** **Trash**  
Mr. Bob Griess, 410 Meridian, resident of Springettsbury Township since 1960, spoke about trash. He indicated he had previously suggested that the Board make some trips around the county and discuss this issue of trash with the residents. Instead, unanimously the Board had approved the trash contract. He wondered why Penn Waste wanted to renegotiate the same contract. He commented on a scenario concerning the cable billing. He can put his cable TV on vacation, but the Township still gets paid a fee for the lines on the pole. In that case he is not paying for something he didn't receive.
- SCHENCK** Chairman Schenck stated for clarification that Mr. Greiss' complaint was that he pays for services not received.
- GREISS** Mr. Greiss responded that he had been in sales all his life and none of his customers ever paid for something they didn't receive.
- BISHOP** Mr. Bishop noted that if the billing were turned into a tax and not a bill from Penn Waste Mr. Greiss would gladly pay it.
- GREISS** Mr. Greiss indicated his taxes had gone up last year anyway. Mr. Greiss blamed the Board for approving the present contract.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 28, 2004  
APPROVED**

- BISHOP** Mr. Bishop agreed that he had placed the blame at the right place. The Board had written the entire contract.
- STUHR** Mr. Stuhr suggested to have a work session open to the public for comment and announce it in the quarterly newsletter so all citizens would be able to see that and citizens could come out and take a look at it.
- SCHENCK** Chairman Schenck responded that when the Board began to review the present contract, that was exactly what was done. It will be done the same way in the future, and the Township will use whatever method is available to get the word to the residents.
- MCCARTHY** Mr. Ed McCarthy stated concerning the time that Mr. Greiss is away for six months, any extra bags he has he'll put at his house. He'll get a written affidavit from Mr. Greiss granting permission.
- SCHENCK** Chairman Schenck indicated that it would be against the law.
- MCCARTHY** Mr. McCarthy responded that Mr. Greiss would have given him permission. He stated he'd have to see the law.
- SCHENCK** Chairman Schenck stated they would be glad to show him the law.
- LINKINS** Mr. Bob Linkins, 1139 Ridgewood Road, stated that several weeks ago he had received a letter from Penn Waste saying that his account was overdue in the amount of \$322.98. He couldn't understand this because they had been paying the bill whenever it was received. Then he realized, upon looking more closely, it was intended for a rental property that they own. They had informed Penn Waste nearly a year ago that the rental property would be vacant because the tenants had moved out. Mr. Linkins stated that, since there was no one living at the house and no trash was being generated from the house, they did not feel they should have to pay for a vacant property. They were billed for something they did not receive.
- SCHENCK** Chairman Schenck asked Solicitor Rausch whether there was any provision for such events in the contract.
- RAUSCH** Solicitor Rausch responded that there were none.
- PALMER** Mr. Palmer stated that it appeared that eventually the contractor will own all the property in Springettsbury Township by suing and liening properties. He urged the Board to look at that very closely.

**Boy Scout – Citizenship in the Community**

**SCHENCK** Chairman Schenck announced that Eric Nelson, a Boy Scout, was present during the meeting in order to work on his Citizenship in the Community badge.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**HOLMAN** Mr. Holman stated that Mr. Schober was away on vacation. However, he had provided a written report to the Board.

**B. Civil Engineer – First Capital Engineering**

**Safe Routes to School**

**LUCIANI** Mr. Luciani stated that he had provided a written report. He presented several updates. The first concerned Safe Routes to School. The Grants person made application in August to obtain funding for sidewalks in the area of Central school. A meeting will be held with York County MPO for a more thorough review of the application. There were a number of other applications, Dillsburg, City of York, Kennard Dale.

**SCHENCK** Chairman Schenck asked whether it was known to go through the MPO.

**HOLMAN** Mr. Holman responded that they had contacted the MPO in July.

**LUCIANI** Mr. Luciani added that they received favorable verbal recommendation; however, apparently there is limited funding, and as a result the application must now be scored by the MPO in comparison to the other applications, which are competing for the same funds. It is all part of the process.

**HOLMAN** Mr. Holman stated that they had prepared a very detailed formal proposal, which had not been submitted because everything had to be submitted on line. Because the detailed proposal had been created, they are ready to bid the job immediately.

**Eden Road**

**LUCIANI** Mr. Luciani reported that the Eden Road project was completed more quickly due to a gap in the contractor's schedule.

**BOWMAN** Mr. Bowman commented that he was pleased with the Eden Road traffic improvements.

- LUCIANI**                    **Mt. Zion-Market Street Road Improvements**  
Mr. Luciani had discussed the Mt. Zion-Market Street improvement project with PennDot and with York County representative Wil Clark. The Township was required to get some feedback from impacted residents. Letters were sent to all those residents and businesses requesting their written or verbal comments. Upon receiving those comments, the Township will go back to PennDot with a response. The median will extend to Bloomingdale Avenue at the Paddock where it terminates.
- BOWMAN**                    Mr. Bowman asked what the reason was for putting a median on Market Street.
- LUCIANI**                    Mr. Luciani responded that the reasoning is to eliminate left turns and crossing over two lanes from driveways and businesses in that vicinity. There is a safety factor and an accident history to consider. It is a mountable curb about four feet wide and will enable wider lanes. There are some historic resources on the north side of Market Street.
- BOWMAN**                    Mr. Bowman commented that most of Market Street is like that.
- SCHENCK**                    Chairman Schenck asked what the time line would be to actually do the widening.
- LUCIANI**                    Mr. Luciani responded that it might be done during 2005 or 2006. The plan covers area all the way to Locust Grove Road. There will be no left turns into Pleasant Acres. This project will be coordinated with Pasch plan and includes an understanding of the traffic flow in that vicinity. Mr. Luciani thought the plan would be implemented the way the Township had suggested.
- LUCIANI**                    **Sheridan Road**  
Mr. Luciani met in a work session with Mr. Holman and Mr. Lauer concerning the signal at Sheridan Road. It was determined to shift the road from its original alignment on Mundis Mill Road to the south. It had been reworked to eliminate the guide rail, and they are pricing the engineering costs for the road improvements. Mr. Lauer has 10 or more mast arms left over from the Route 30 project, which could be used for this contract, and which will save significant costs.

**5. ACCOUNTS PAYABLE:**

- A. T-A-H Construction, Inc. – Application for Payment No. 7 – Bar Screen & Septage Receiving Station in the amount of \$28,889.50**
- B. Regular Payables as Detailed in the Payable Listing of October 28, 2004**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Renewal of Contract with Hemler/ACS Animal Control Service for Dog Law Enforcement for the Year 2005.**

**HOLMAN** Mr. Holman stated that item A was a standard renewal of a contract with Hemler for dog pick up. A question by Mr. Dvoryak had been brought forward, and Mr. Holman wanted to respond to that. He requested that the item be held until the next meeting.

**Consensus of the Board was agreement to hold item A for further review.**

**B. Eden Road Change Order Requests:**

- **Change Order No. 3 for an amount not to exceed \$600 (additional fill).**
- **Change Order No. 4 for an amount not to exceed \$1,000 (relocation of piping for storm sewer)**
- **Change Order No. 5 for an amount not to exceed \$8,000 (installation of conduit for future street lighting).**
- **Change Order No. 6 for an amount not to exceed \$10,912 (lining of swale B).**

**HOLMAN** Mr. Holman stated that the Change Orders listed would be coming out of grant funds. The project is ahead of schedule. The Change Orders were necessary for items as noted. The lighting will be at the request of Harley Davidson and DEP, and Harley had indicated that, should the cost of this contract exceed the grant amount, they would absorb the cost of lighting. Upon approval of these items, there will be \$54,488 available, so the lighting might be installed fairly quickly. This was a well controlled project, and so far no Township funds had been spent. The Change Orders are not to exceed costs.

**MR. BOWMAN MOVED TO APPROVE EDEN ROAD CHANGE ORDER REQUESTS, NO. 3, 4, 5, AND 6. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-04-03 – Concord Properties 1 Addition – Time Extension to 12/31/04**

**BAUGH** Mr. Baugh indicated that there will be a submitted plan with revisions.

**MR. GURRERI MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR LD-04-03, CONCORD PROPERTIES 1 ADDITION TO 12/31/04. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Signs**

**BAUGH** Mr. Baugh stated that they are stepping up enforcement of the un-permitted advertising signs. They will file civil complaints for non-compliance.

**BOWMAN** Mr. Bowman asked whether any responses had been received to date.

**BAUGH** Mr. Baugh responded that there had been an excellent response from the one store that had been cited.

**SCHENCK** Chairman Schenck commented that he felt the timing was appropriate, especially in response to the weekend signs.

**8. COMMUNICATION FROM SUPERVISORS:**

**Snowberger House**

**GURRERI** Mr. Gurreri asked about the Snowberger house, which had been purchased in September, 2003. There was a potential tenant who showed interest; however, the house is still vacant.

**HOLMAN** Mr. Holman responded that the house had been brought up to code, which work had just been completed two months ago. There is a potential tenant who wanted to use the home for office space. Mr. Lauer had done an excellent job, and it is now available as a rental property.

**SCHENCK** Chairman Schenck asked whether that was what the Board would assume would happen.

**BISHOP** Mr. Bishop stated that the last direction was that the Board was unsure of what direction to proceed. Some consideration was to be given as to whether there were any negatives to renting it out.

- HOLMAN** Mr. Holman indicated that the company, which is interested in using the property, is one of the Township's consultants. Their rental of the property would reduce Township costs for their project.
- SCHENCK** Chairman Schenck commented that the decision would still come to the Board for approval.
- HOLMAN** Mr. Holman assured him it would.
- GURRERI** Mr. Gurreri asked whether that company could use the farm house.
- HOLMAN** Mr. Holman responded that they are looking for quarters that could house them overnight.
- GURRERI** **Farmhouse Roof**  
Mr. Gurreri asked whether there were any leaks in the roof on the farmhouse.
- HOLMAN** Mr. Holman responded that the roof is part of the budget. The question is whether or not to replace the roof or have Mr. Lauer patch the roof. It is a slate roof. There are no current problems.
- GURRERI** Mr. Gurreri suggested that something be done fairly quickly before the winter weather.
- BISHOP** **Saturday-In-The-Park**  
Mr. Bishop mentioned that the Springettsbury Lions Club had been Saturday-In-The-Park. They had been invited to attend the meeting but were unable to attend. Mr. Bishop stated that they had done a great job.
- HOLMAN** Mr. Holman stated that it was almost impossible to mention all the volunteers who helped that day.
- BISHOP** Mr. Bishop indicated he had attempted to concentrate on the leaders, but there were many people who helped.
- 9. SOLICITOR'S REPORT:**
- RAUSCH** Solicitor Rausch stated that he had provided a written report, and he had nothing to add.
- 10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman indicated that he had provided a written report as well. He requested the Board to schedule a work session Wednesday morning, November 3, regarding the 2005 Budget. Paperwork will be provided prior to the meeting.

**GURRERI** Mr. Gurreri mentioned that a Pension Fund meeting had been scheduled for November 3 at 9 a.m.

**HOLMAN** Mr. Holman responded that it could be held immediately following the Pension meeting.

**Consensus of the Board was agreement to meet on Wednesday, November 3, 2004 at 7 a.m.**

**SCHENCK** Chairman Schenck stated that the meeting would have to be advertised. He asked what funds would be reviewed.

**HOLMAN** Mr. Holman responded that a review would be made of the Other Funds and Sewer. General Fund budget had been prepared; however, he did not think they would get to that during the first work session. Additional work sessions will be scheduled.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-11 – Establishing 25 MPH Speed Limit on Marion Road**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 04-11, ESTABLISHING 25 MPH SPEED LIMIT ON MARION ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-69 – Approving Snow Removal Contract with PennDOT**

**SCHENCK** Chairman Schenck asked whether Mr. Lauer had added any streets over those streets last year.

**HOLMAN** Mr. Holman responded that it covered the same amount of streets as last year. Mr. Lauer had reviewed it with Mr. Anderson to be sure that it was accurate, and it was correct.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 04-69, SNOW REMOVAL CONTRACT WITH PENNDOT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – October 14, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING OCTOBER 14, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Adoption of Updated Springettsbury Township Employee Policies Manual**

**HOLMAN** Mr. Holman commented that in the Employee Manual there is a residency requirement for an employee to live within 10 miles of The Township for any employee of Springettsbury Township. Certainly the one for the Manager would stay in place. However, he requested that the Board amend the policy to make it a “preference” and not a requirement. He added that it was not really enforceable.

**GURRERI** Mr. Gurreri thought it should apply to positions such as Police Chief and Fire Chief, both who need to be close in case of emergencies.

**HOLMAN** Mr. Holman indicated it would be for nearly every employee, and especially Supervisors.

**BISHOP** Mr. Bishop stated that requiring employees to live within the Township was short sighted and would limit the potential for quality employees. People have varied reasons for where they live, such as schools, family, etc. It’s in the best interests of all the citizens of Springettsbury Township to not strictly enforce the issue.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop.

**HOLMAN** Mr. Holman requested a motion to approve the employee manual as amended.

**MR. BISHOP MOVED TO APPROVE THE ADOPTION OF THE UPDATED SPRINGETTSBURY TOWNSHIP EMPLOYEE POLICIES MANUAL AS AMENDED. MR. BOWMAN WAS SECOND.**

**MCCARTHY** Mr. McCarthy commented to be cautious because the 10 mile radius had been tried in court.

**HOLMAN** Mr. Holman stated that it would be very difficult to enforce. That’s why the word “preference” would cover it.

**MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise for Receipt of Sealed Bids for Purchase of Property along the west side of the 1400 Block of North Sherman Street.**

**HOLMAN** Mr. Holman stated that he had discussed item B with Solicitor Rausch. The Board could authorize to bid it and make the sale contingent upon the successful change in zoning if the Board desired to do so. The Board could also hold any action and take action on the zoning change. He indicated that the final appraisal had been received. The Planning Commission will be taking action on that. Mr. Baugh will be discussing that at the next meeting.

**SCHENCK** Chairman Schenck stated that he would like to see the logical steps taken prior to any attempt to sell the property.

**Consensus of the Board was agreement to hold any action until a future date.**

**C. ACRE Proposal**

**SCHENCK** Chairman Schenck reported that Mr. Holman had provided information concerning the ACRE Proposal. The Board was asked to think about and review a position.

**HOLMAN** Mr. Holman stated that he had received comments from Mr. Hodgkinson and will be meeting with him. In addition, he had spoken with Representative Gillespie, who reported that no legislation is pending, and he will keep the Township informed. There was no need for action at this time.

**BISHOP** Mr. Bishop commented that it was an issue that was not at all what it seemed.

**Future Garbage Contract**

**BISHOP** Mr. Bishop stated that he agreed with Mr. Gurreri with regard to moving forward with a review of the garbage contract. A work session should be scheduled if something is to be done. Mr. Stuhr suggested a public hearing as an idea to get the public involved, and there would be several ways to do that. Such a meeting should be scheduled some time in January and get the word out to the residents.

**SCHENCK** Chairman Schenck agreed and had no problem with the suggestion. He asked the Board about involving the Recycling Committee.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 28, 2004  
APPROVED**

**BISHOP** Mr. Bishop stated he thought they should be included but not having to take the lead.

**HOLMAN** Mr. Holman offered to propose some dates to the Board and will hold a public meeting on generally what people would like to see in a new trash contract. He suggested a date toward the latter part of January when people would return from January vacations.

**SCHENCK** Chairman Schenck asked when the next newsletter would be distributed.

**BOWDERS** Mrs. Bowders responded that it would come out in January.

**BISHOP** Mr. Bishop suggested to schedule a public hearing for early February

**Consensus of the Board was to start the process of reviewing the garbage contract during early February.**

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of September 30, 2004 Treasurer's Report.**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE SEPTEMBER 30, 2004 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:22 p.m.

Respectfully submitted,

John Holman,  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 14, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular meeting on Thursday, October 14, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:10 p.m. He apologized for the late start and asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He invited Reverend Bradley Brown of Zion United Methodist Church to open the meeting with a blessing. He added that Reverend Brown had the honor of providing a blessing over the Pennsylvania Senate.

**BROWN** Reverend Brown provided a prayer for the nation and the meeting.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held prior to the Regular Meeting to discuss legal issues regarding the Zoning Hearing Board rulings, real estate matters and personnel issues.

**3. COMMUNICATION FROM CITIZENS:**

**Penn Waste Concerns**

- PALMER** Mr. David Palmer, 2640 North Sherman Road, brought forward an item concerning his mother, who lives at 2570 Mt. Zion Road on a private lane, and who does put any garbage out for collection. Penn Waste had filed a civil suit against his mother for non-payment of their invoice and had taken photographs of her and her property. He had contacted Mr. Holman concerning this incident, to which Mr. Holman had responded. His mother, who is 84 years old, had recycled her own garbage since she had been a resident of the Township. Penn Waste is suing his mother for a service she does not need. In a previous lawsuit against her, Penn Waste was required to withdraw. Mr. Palmer presented paperwork concerning the issues. He questioned how Penn Waste would have the right to sue a citizen due to a contract signed by Springettsbury Township. He hoped the Township could provide some relief to the situation.
- HOLMAN** Mr. Holman stated that he would forward Mr. Palmer's information to the Township Solicitor.
- SHULL** Mr. Dale Shull, 5907 Main Street, East Petersburg, PA stated that he had a similar problem as Mr. Palmer with Penn Waste. He had previously lived at 1533 Memory Lane in Springettsbury Township. His home had burned on September 14, 2001. Following that the Township contracted with Penn Waste. His property was burned to the point it was condemned - uninhabitable. According to Township ordinances, Penn Waste must be utilized if the property is a livable dwelling. His unit was not occupied at the time they were contracted. Mr. Shull was living in Maryland at that time. He was invoiced by Penn Waste and ultimately sued and paid \$288.92 for the service not used. Mr. Shull provided a copy of the Magistrate's note with the case number and requested the Township's help in the matter.
- SCHENCK** Chairman Schenck commented that the situation was a unique one and asked Solicitor Rausch for his recommendation.
- RAUSCH** Solicitor Rausch asked Mr. Shull if he had made an argument before District Justice.
- SHULL** Mr. Shull responded that he had done so but was advised that it was considered a property regardless of whether people lived there or not.
- HOLMAN** Mr. Holman offered to investigate the case.
- RAUSCH** Solicitor Rausch asked him if he had paid the sewer bill.
- SHULL** Mr. Shull responded that he had paid the sewer bill following an investigation of disconnection and reconnection costs.

- GURRERI** Mr. Gurreri asked whether the Township had determined that the building was condemned.
- SHULL** Mr. Shull responded that the Township had declared it condemned.
- SCHENCK** Chairman Schenck stated that the Township would be sure to clearly understand the situation by reviewing the entire set of circumstances and respond back to him.
- PALMER** Mr. Palmer added to his previous comments by attempting to submit the attorney fees spent in his mother's behalf when she was illegally sued.
- RAUSCH** Solicitor Rausch advised that there would be no reimbursement.
- SCHENCK** Chairman Schenck asked how many non-paying garbage customers there are within Springettsbury Township.
- HOLMAN** Mr. Holman responded that in the most recent audit there were 300 houses with unpaid bills.
- SCHENCK** Chairman Schenck noted that every resident generates trash. That trash needs to be picked up by Penn Waste. Otherwise the residents are violating Township ordinances. The cost could be included within the property taxes in the future.
- GURRERI** Mr. Gurreri noted that when the garbage contract was bid, the contractor established the costs by how many homes are in the Township. Every resident in the Township has to pay whether they put garbage out or not. In the future consideration may be given to a Tag-A-Bag system, but for the present time, a contract is in place.
- PALMER** Tom Palmer, visiting at 2570 Mt. Zion Road, from Miramar, Florida asked whether his mother would have the option to go with Tag-A-Bag. He added that the \$12.00 per month fee was very reasonable compared with what he pays in Florida.
- RAUSCH** Solicitor Rausch provided a commentary on the legal aspects of the discussion. He stated that the Township is mandated by the state to take care of the garbage generated in the Township. Part of that power and responsibility includes that right that the Township so chooses to mandate which contractor will collect that garbage. This is a health and safety issue. Mandatory garbage collection is permitted by law and is a service. Each resident is not only paying for their portion of the garbage, but also for the neighbor's garbage. In addition, this Township is obligated to recycle. The importance of putting that recycling in the recycling bin to be picked up is for grant money, for which the Township is reimbursed. If every resident did not recycle all their metal cans no grant money would

be received and the Township would not be fulfilling the requirements of state law. Whether residents like it or not, that's the law. The Palmer's position had been challenged in court by others with the same argument and lost.

**PALMER** Mr. Palmer perceived that a bill for one private citizen to another private citizen was turned into a tax lien situation where an unscrupulous insider can, for \$500 bucks, snatch the property of a citizen by paying the tax lien and taking the title.

**RAUSCH** Solicitor Rausch responded that he was correct. The Township has the right to send the garbage truck and provide the garbage service. One way or another the garbage bill will have to be paid.

**BISHOP** Mr. Bishop added that the Palmers would have to understand that this is the decision of the people of Springettsbury Township because the Board of Supervisors represents the people of Springettsbury Township and each member takes that responsibility and makes decisions very seriously. The selection of a garbage contractor was not an easy one, in which he had been involved. Many state laws must be followed. As Mr. Palmer had stated, the Board had negotiated the great rate established, compared with other areas of the country. A contract is in place.

**PALMER** Mr. Palmer asked whether there was any relief program for residents on fixed incomes that can't afford garbage such as is in place for utilities.

**SCHENCK** Chairman Schenck indicated that it had been discussed with no resolution as far as a fair way to administer that program. However, the Board is sensitive to the situation. He reiterated Mr. Gurreri's comment regarding the Tag-A-Bag program, which will be reviewed in the future. He indicated that Mrs. Palmer clearly had a hardship, but the Township was not aiming this at anyone elderly or on a fixed income.

**SHULL** Mr. Shull commented that he had observed a garbage truck in the process of its pickups. He watched as one of the employees picked up a nice brass lamp and put it in a gunny sack hanging on the side. He commented that it was in direct violation of the scavenger laws.

**RAUSCH** Solicitor Rausch noted that if it was an employee, it should be reported to Penn Waste.

**PALMER** Mr. Palmer asked whether the Township would respond back to them concerning his mother's situation.

**SCHENCK** Chairman Schenck responded that they will receive a response, but it probably would not be what they wanted to hear.

**HOLMAN** Mr. Holman responded that he would report back to Mr. Palmer.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober provided an update for the Board. The contractor is expected to begin installation of the Change Order to change the return sludge valves for the Solids Dewatering project. By-pass pumping is being set up and equipment delivered. Weather permitting that will be completed within the next week or so. The Bar Screen and Septage Receiving project is scheduled for the week of October 19<sup>th</sup> and the project continues to move forward. A productive meeting had been held with staff and sub-consultants on the BNR Study. Some alternative, full-scale pilot tests were developed. Details are being developed to come up with pricing and procurement strategies. He expected the process to be up and running by cold weather in January/February. A productive and informational meeting had been held with the residents of Barwood Road regarding the Barwood Road Sewer project.

**HOLMAN** Mr. Holman commented that approximately 80% of the residents attended with a very positive response.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani provided several updates. Some of the staff discussions and agreements related to the Appleby's and James Meadows developments will be discussed later in the Agenda. Mr. Luciani had contacted the Track Master at Norfolk Southern with regard to the rail crossing at AWI. Norfolk Southern wanted to wait until some time next year to repair the tracks; however, the repair work is of a larger concern at this time now that the road is open to get into Harley. Some coordination work was done with Mr. Lauer, and they agreed to do the repairs Wednesday, October 20<sup>th</sup> weather permitting. Mr. Luciani was pleased that they had moved it forward aggressively. They will be responsible for maintenance and protection of traffic. Mr. Lauer will be out there to make sure things go smoothly.

**Sheridan Road**

**GURRERI** Mr. Gurreri asked about the curve and drainage status on Sheridan Road.

**LUCIANI** Mr. Luciani responded that he had a meeting on the design work and expected to meet with Mr. Holman next week to review some options, lane configurations and cost saving measures. There was no update on the drainage improvement at this time. He indicated he would attempt to have more information at the next meeting.

**Graham Packaging**

**BISHOP** Mr. Bishop asked about the issues with respect to the height of the Graham Packaging building.

**LUCIANI** Mr. Luciani responded that it would require a fairly high elevation. There is a desire to add height to the building; however, there might be some structural challenges. There is a tenant in the building at this time, which has an extra year lease, so there will be some additional details to handle.

**BISHOP** Mr. Bishop asked whether the ordinance would indicate it could not be done.

**LUCIANI** Mr. Luciani responded that the ordinance would permit the height additions; however, there would not be enough parking to accommodate it. They were basically on a fact-finding mission to determine if, instead of adding height, another building could be built there. Again, parking was an issue. There are some site issues, which are not Township related issues, other than parking.

**BISHOP** Mr. Bishop asked about the status of rezoning the property behind there.

**LLUCIANI** Mr. Luciani responded that he had discussed that with them. The initial indication was that the price for that piece of real estate was not reasonable.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of October 14, 2004**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF OCTOBER 14, 2004. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS:**

**A. Kenneth W. Pasch Consulting – 2003 Agreement for Collective Bargaining Services – Authorization to Pay Invoice for Said Consulting Services in the amount of \$33,590.51 for the period April 2003 through and inclusive of November 2003.**

**HOLMAN** Mr. Holman stated that an invoice had been received and had been reviewed against the hours the sessions were held. The invoice appeared to be correct and accurate. He requested a motion to reconfirm the 2003 Agreement and authorization to pay the amount due and owing.

**MR. BISHOP MOVED TO RECONFIRM THE 2003 AGREEMENT AND AUTHORIZE PAYMENT OF INVOICE TO KENNETH W. PASCH CONSULTING IN THE AMOUNT OF \$33,590.51.**

**GURRERI** Mr. Gurreri asked whether the agreement previously had been approved by the Board.

**SCHENCK** Chairman Schenck responded that the Board had approved Mr. Ken Pasch to do the work. He did not recall that there had been a specific contract. He had worked on three different labor contracts for the Township. This was during the time when the Township had no Manager, and each member of the Board had taken on different responsibilities.

**HOLMAN** Mr. Holman added that he had worked on the police contract, the Teamsters and for a short time, the fire contract.

**GURRERI** Mr. Gurreri indicated he did not like to pay something that had not been approved.

**DVORYAK** Mr. Dvoryak asked whether the invoice would complete all the invoices and whether there would be any more to come.

**HOLMAN** Mr. Holman responded that the action would complete the invoicing.

**MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1. MESSRS. BOWMAN, BISHOP, SCHENCK AND DVORYAK VOTED YES; MR. GURRERI VOTED NO.**

**B. T-A-H Construction, Inc. – Bar Screen & Septage Receiving Station – Change Order No. 2 in the amount of \$624 to Relocate the Weir Gate Disconnect.**

**MR. BISHOP MOVED TO APPROVE CHANGE ORDER NO. 2 FOR T-A-H CONSTRUCTION, INC. INVOICE IN THE AMOUNT OF \$624. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Award Contract for Purchase of Self-Contained Breathing Apparatus (SCBA) in the amount of \$53,250.**

**HOLMAN** Mr. Holman reported that the grant application for item C had been completed by Teri Markley, Andrew Stern and himself. Mr. Stern had provided the information on the grant. This item will update the self-contained breathing apparatus with the latest models. He appreciated Springettsbury Township's Fire Relief Association and the Ambulance Club's authorizing their share of the funds for this project. It's a real partnership between the volunteers, the Township and the grants, and every one had done an excellent job.

**SCHENCK** Chairman Schenck indicated that this action would provide up-to-date, current equipment to use when entering a building.

**HOLMAN** Mr. Holman stated that the PEMA Grant was noted as \$47,925; Township share was \$53,250; Fire Relief Association provided \$21,025, and the Ambulance Club provided \$2,900.

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD THE CONTRACT FOR PURCHASE OF SELF CONTAINED BREATHING APPARATUS (SCBA) IN THE AMOUNT OF \$53,250. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Confirm Award of Sealed Bids for Township Vehicles as follows:**

- **1986 Ford F350 to Robert E. Haugh in the amount of \$2,377**
- **1998 Jeep Cherokee to Robert E. Haugh in the amount of \$3,277**
- **1999 Ford Crown Victoria to Government Cars Distribution Center, Inc. in the amount of \$2,738**
- **2000 Ford Crown Victoria to Government Cars Distribution Center, Inc. in the amount of \$3,276**

**SCHENCK** Chairman Schenck noted that sealed bids had been received on Township vehicles.

**HOLMAN** Mr. Holman commented that Chief Eshbach and his staff worked very hard to make sure they were marketed and advertised.

**MR. GURRERI MOVED TO AUTHORIZE THE AWARD OF SEALED BIDS FOR TOWNSHIP VEHICLES AS LISTED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Advertise for Receipt of Sealed Bids for Purchase of Property along the west side of the 1400 Block of North Sherman Street.**

**HOLMAN** Mr. Holman stated that when he first joined the Township there was a piece of property behind Rutter's on Sherman Street that was believed to be owned by the Township but which needed confirmation. After doing some research, a Quit Claim Deed showed that the Township did, in fact, own the property. An appraisal was requested and completed for the property to determine the value for setting a minimum price on the property, which was \$36,000 unencumbered. Mr. Holman asked for the authorization to receive sealed bids for the purchase of the property, which would be advertised and sent out to various realtors. It is surplus property for the Township.

**SCHENCK** Chairman Schenck asked whether there would be a right of refusal and whether a minimum bid could be set.

**HOLMAN** Mr. Holman confirmed that the Township would have the right to refuse bids. The \$36,000 would be a minimum bid.

**DVORYAK** Mr. Dvoryak asked about a previous discussion concerning zoning of this particular property and whether the appraisal was based on its current zoning or potential changes.

**HOLMAN** Mr. Holman responded that it was based on its current unencumbered value. He was not sure if the appraisal would change the value with rezoning.

**DVORYAK** Mr. Dvoryak asked about the current zoning.

**BAUGH** Mr. Baugh responded that half of the property was Commercial Highway and the other half is R2.

**SCHENCK** Chairman Schenck recalled the discussion and it had been for a good reason. He asked whether there should be some thought to revisiting that idea.

**BISHOP** Mr. Bishop noted that, perhaps changing the zoning might make the property more valuable, which might be a reasonable action to take. The current state of the zoning is not as valuable as Commercial Highway.

**SCHENCK** Chairman Schenck asked Mr. Baugh about properties where the zone does not follow the property line, such as in this case where one spills over into the other.

**BAUGH** Mr. Baugh responded that technically it must follow the line. A use variance could be requested for the other lot. There were two left over lots when the intersection was widened. Some houses were removed and there were very small narrow lots remaining. Changing the zoning could possibly increase the appraisal by a minimum; however, he did not think it would be very substantial due to the fact that it is such a small piece of property.

**SCHENCK** Chairman Schenck asked for a recommendation.

**HOLMAN** Mr. Holman stated that \$36,000 seemed to be a very reasonable price whether Commercial or Residential for the property. It is a very small property with limited use; however, it is a developable property, which requires that it be advertised for sale.

**SCHENCK** Chairman Schenck asked whether this should be sent to the Planning Commission for a review of rezoning, or whether to proceed to act on advertisement for sale. He added that he was concerned about a potential buyer being stuck with the Commercial issues, and vice versa.

**BAUGH** Mr. Baugh responded that any buyer who purchases the property would probably want to use it for more parking. The Commercial portion could handle additional parking. Any buffering would eat up the Residential portion of the lot.

**HOLMAN** Mr. Holman asked Solicitor Rausch whether it could be authorized to go out to bid for \$36,000 and include the fact that a review is being made for the option of rezoning the property.

**RAUSCH** Solicitor Rausch recommended to keep it moving forward.

**HOLMAN** Mr. Holman added that he did not believe any rezoning would change the value greatly.

**BAUGH** Mr. Baugh added that he could not imagine why anyone would pay \$36,000 for it other than the adjacent land owners.

**RAUSCH** Solicitor Rausch recommended to go back to the appraiser in order not to sell the land for one price and then rezone it.

**SCHENCK** Chairman Schenck asked whether there was any urgency to act on the item.

**HOLMAN** Mr. Holman indicated he could contact the appraiser and bring it back next meeting.

**Consensus of the Board was agreement to review the item with a little more detail again at the next meeting.**

**5. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-04-04 – James Meadows Residential Development (10/31/04)**

**BAUGH** Mr. Baugh stated that the James Meadows project consisted of a 6.5 acre parcel currently an idle vacant meadow and an adjoining half acre property currently an existing single family residence, information as noted in his October 6, 2004 memorandum. He indicated that the proposed use of the subdivision will be a 13 dwelling unit single family residential subdivision with a non-dwelling unit lot joined to the adjoining property of the half acre lot. This will remain as an existing single family dwelling. He noted that the Planning Commission had recommended approval with several conditions, most of which had been addressed. Staff recommended approval as well, with several waivers and conditions also listed in the memorandum. Mr. Baugh provided Power Point photographs of the property.

**SCHENCK** Chairman Schenck asked whether the sewer issue had been resolved.

**LUCIANI** Mr. Luciani responded that the sewer agreement appeared later on the Agenda. He added that his concern was, if for some reason the sewer project stopped, the sewer for this future sewer line being constructed by the Township, we need to have a state right-of-way there. Further review was made of the culvert issue and the guide rails. The Township received some liquid fuels money from the County to provide some roadway improvements along Eden Road. Mr. Lauer requested the design of the type of pipe and not knowing how that would work in conjunction, the developer intended to extend that pipe and offered a fee to extend their main pipe.

**HOLMAN** Mr. Holman added that the funding is \$150,000 from liquid fuels.

**MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION 04-04, THE JAMES MEADOWS SUBDIVISION PLAN:**

- **TO GRANT A WAIVER OF SALDO §502.6.D, DISTANCE BETWEEN STREET INTERSECTIONS,**
- **TO GRANT A WAIVER OF SALDO §502.9, ACCESS DRIVE STANDARDS,**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PROVIDING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL,**
  - **PLACING A NOTE ON THE PLAN STATING THAT IF THE SEWER PLAN IS ABANDONED BY SPRINGETTSBURY TOWNSHIP, THE DEVELOPER WILL BE REQUIRED TO REDESIGN AND RESUBMIT THE PLAN,**
  - **PROVIDING TYPICAL CROSS-SECTIONS AND CENTERLINE PROFILES FOR EACH PROPOSED STREET INTERSECTION FOR A DISTANCE OF 50 FEET PAST THE END OF EACH RADII,**
  - **CONTRIBUTION \$8,000 FOR THE CULVERT IMPROVEMENT AT THE SOUTH CORNER OF THE PROPERTY BENEATH EDEN ROAD.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked the developer for the work with the Township. Their contribution was appreciated.

**BAUGH** Mr. Baugh indicated that this was only the preliminary plan.

**B. LD-04-08 – Appleby’s at York Mall (11/17/04) – Action**

**BAUGH** Mr. Baugh presented background information regarding the Appleby’s Land Development Plan, as listed in his October 6, 2004 memorandum. The existing Appleby’s Restaurant had requested approval to add five parallel parking spaces dedicated for curbside pickup for the restaurant only. The intent is to widen the access drive on the west side of the building by nine feet for the parking spaces. The plan is an amendment to

the Land Development Plan completed in 2002. Planning Commission had recommended approval with several conditions, most of which had been addressed. Staff recommended approval as well with a modification, waiver and conditions. Mr. Baugh provided a Power Point presentation showing the development plan.

**SCHENCK** Chairman Schenck was pleased to note they planned to install sidewalk. He asked for clarification of the directional flow of traffic.

**BAUGH** Mr. Baugh explained the flow. He pointed out that no signs had been approved in any of the Land Development Plans.

**SCHENCK** Chairman Schenck commented on the number of signs. He asked if the developers were made aware that signs are a separate issue.

**BOOTH** Mr. John Booth, representative of Applebee's, indicated they have existing signs that had been previously approved. They will be changing those signs but not adding any signs.

**BAUGH** Mr. Baugh indicated that would be part of the permit.

**SCHENCK** Chairman Schenck stated that technically a permit was needed to put up any sign and it would be part of that application. It didn't sound like there would be a problem.

**BOOTH** Mr. Booth indicated that he understood and they would follow the Township ordinance.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 04-08, APPLEBY'S AT YORK MALL:**

- **TO GRANT A MODIFICATION OF LANDSCAPE REQUIREMENTS,**
- **TO GRANT A WAIVER OF ENVIRONMENTAL IMPACT STUDY,**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION,**
  - **RECEIVING A FINANCIAL SECURITY FOR PUBLIC IMPROVEMENTS IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. RZ-04-01 – CHR Corporation – North Hills Road at Industrial Highway**

**BAUGH** Mr. Baugh stated that RZ-04-01 was a rezoning request for North Hills Road at Industrial Highway. In addition, there is a text amendment changing what is allowed in a convenience store to allow gas pumps in the Commercial Highway District. Mr. Tim Bupp of CGA law firm was present to represent CHR.

**SCHENCK** Chairman Schenck commented that the Board would discuss whether or not the request was reasonable enough to send it on to the Planning Commission for review.

**BAUGH** Mr. Baugh responded he was correct that it was to simply accept or reject the application. If accepted, then it would be sent to the Planning Commission, which will make a recommendation.

**SCHENCK** Chairman Schenck added it would also be sent to York County Planning. What the Board needed to determine is whether or not this has enough merit to be passed along, or whether it is so outrageous that it would have no chance of ever being passed, in which case it would end at this point.

**BUPP** Attorney Bupp stated he was not present to make any formal application.

**MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS REFER THE CHR REZONING REQUEST TO THE PLANNING COMMISSION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. COMMUNICATION FROM SUPERVISORS:**

**Sewer Billing**

**GURRERI** Mr. Gurreri commented about a sewer bill received by a resident. He stated that there had been previous discussions about changing the date of the sewer bill for residents who receive social security checks on the 3<sup>rd</sup> and find it necessary to pay a late fee.

**HOLMAN** Mr. Holman responded that he had spoken with the resident and indicated he had reviewed her sewer bill. From what he could see she was not charged a late fee but it had been credited back to her. He advised the resident that the Township was in the process of a review of all the sewer billing options. He advised that he would contact the resident again with regard to any changes. There was some discussion about six months ago about whether or not to go to the 10<sup>th</sup> of the month. Long term planning is being done on the sewer. There are 30 days to pay the bill from the date they are sent out.

**Penn Waste Photo Fee**

**DVORYAK** Mr. Dvoryak noted he had received information from an additional resident who had been rightfully challenging the \$1.00 photo fee. He questioned whether Penn Waste was pro-actively going back and correcting the bills.

**HOLMAN** Mr. Holman responded that they were going back and changing all the bills. He is meeting with Penn Waste to review the contract again and double check these items. He will be meeting with Penn Waste monthly to review any complaints or comments with regard to the contract or

concerns. He believed that should make the contract run much more smoothly.

**Acre Program**

**BISHOP** Mr. Bishop stated that Steve Baker, a resident on the Recycling Committee, provided information for the Board of Supervisors with information on a proposed Acre Program Governor Rendell put forth. He thought it was an unreasonable usurpation of power.

**HOLMAN** Mr. Holman stated that the Acre Program dealt with the industrial farming of hogs and pigs. He had received some information which he could forward to the Board.

**BISHOP** Mr. Bishop indicated that Mr. Baker asked that he forward his email to the Board members.

**Comp Plan**

**GURRERI** Mr. Gurreri commented that cameras were being provided for the Board members to go out in the Township and take pictures of what each member likes and dislikes about the Township. Photographs will be used for the Comprehensive Plan.

**HOLMAN** Mr. Holman added there should be no pictures of people or staff. He asked the Board to take note of the log provided starting at number 27 because the picture in the camera starts at 27 and works back down. Cameras were provided to the Supervisors, the Zoning Hearing Board, the Planning Commission and will be provided to the Historic Preservation Commission and members of the Comp Plan.

**BOWMAN** Mr. Bowman asked when the photographs were to be returned.

**HOLMAN** Mr. Holman responded he would prefer to have them back within the next three weeks. He added to return them to the Township and they will develop them. Mark their name on the camera and on the log in order to match them up.

**Saturday-In-The-Park**

**SCHENCK** Chairman Schenck commented that Saturday-In-The-Park was incredible. He stated that he was extremely pleased with his observations of the Township employees, who showed a sense of excitement and involvement. He had no negative comment the entire day.

**HOLMAN** Mr. Holman added that the day was really enjoyable and fun.

**Old Orchard/Stonewood Site Distance**

**SCHENCK** Chairman Schenck noted that Public Works had done a great job of whacking down the Township shrubs and trees around Stonewood and Old Orchard Road; however, the homeowner growth is still there.

**HOLMAN** Mr. Holman indicated that they would go back and ask the homeowners to cut theirs back as well.

**SCHENCK** Chairman Schenck thanked Mr. Holman for the action taken.

**7. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch had provided a written report. He stated that the only item requiring action was the appeal filed by CHR Corporation on the denial of the North Hills community store. He will file a Notice of Intervention on behalf of the Township and participate in that appeal toward resolution.

**MR. BISHOP MOVED TO AUTHORIZE THE SOLICITOR TO FILE A NOTICE OF INTERVENTION IN THE CHR ZONING APPEAL. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. MANAGER'S REPORT:**

**Grants**

**HOLMAN** Mr. Holman had provided a written report. In addition, he thanked Chief Eshbach and the staff, Teri Markley, for efforts toward receiving a "Secure Our Schools" grant, in the amount of \$30,000 for which a verbal approval was received. The formal letter had not been received to date. Thanks to the Directors and Teri, the Township has had a very aggressive and successful grant program.

**Bon Ton Distribution Facility**

**HOLMAN** Mr. Holman reported that he had attended a meeting with Chris Boregard from First Capital Engineering regarding a proposal for development of the former Bon Ton Distribution facility site. It was an informal meeting with the Pennsylvania State DOT and developers to review traffic concerns in that area. Mr. Holman will provide a full report to the Board. The developer will provide an estimate of how many full time and part time positions will be created at that site.

**SCHENCK** Chairman Schenck thanked Chief Eshbach for his annual police report, which was full of information. He had scanned the report and planned to take more time to review it thoroughly.

**9. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-67 – Additional Street Lights – Fieldstone Manor**

**B. Resolution No. 04-68 – Additional Street Lights – Market Street Commons**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 04-67 AND 04-68 FOR ADDITIONAL STREET LIGHTS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Right-of-Way Agreement for Sanitary Sewer Line – James Meadow Residential Development – Eden Road and Paradise Road.**

**MR. GURRERI MOVED TO APPROVE THE RIGHT-OF-WAY AGREEMENT FOR SANITARY SEWER LINE, JAMES MEADOW RESIDENTIAL DEVELOPMENT, EDEN ROAD AND PARADISE ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Appoint Fulton Financial Advisors as Pension Fund Management Consultants for Paid Firemen Pension Plan.**

**DVORYAK** Mr. Dvoryak commented that, given the importance that this performance will have on the Township costs in the future, he questioned how the selection of Fulton as vendor was made.

**HOLMAN** Mr. Holman responded that Fulton is currently performing for the Township for the Police Pension Fund. The Township has an on-going relationship with Fulton, and they have waived the set up fee for this project, and for the interim and first year they appeared to be the best group to bring on board. Mr. Holman really liked the working relationship that had been established. Due to the short time frame available to finish this, he wanted to get them on board in order to start the process of transferring funds and begin meeting with the members of the unit. The actuary had reviewed the proposal, and the numbers are well within the realm of management. This was included as part of the Pension Fund in the administrative fees. They are a very strong player in this field. A review of their performance during the next year will be made.

**DVORYAK** Mr. Dvoryak stated that he would question the overall performance of all the funds and how often the Township would review those performances.

**HOLMAN** Mr. Holman responded that meetings are held quarterly and on a monthly basis. All information is forwarded to Mr. Gurreri and Mr. Bowman and any other members of the Board. It is important for Board members to attend those meetings. He anticipated that working with Fulton will require more meetings within the next few months during the transfer followed by performance reviews.

**DVORYAK** Mr. Dvoryak asked if there was a desire to shop the funds out to other investment managers or firms in the area, and whether that request would come from the Pension Fund.

**HOLMAN** Mr. Holman responded that he was correct, it would come from the Pension Fund in the form of a directive.

**BISHOP** Mr. Bishop agreed with Mr. Dvoryak's concept as something the Board should at least consider. Six months down the road there should be an active review of the entire situation.

**DVORYAK** Mr. Dvoryak shared a personal experience. Within the last two years another organization he is affiliated with shopped the market. They had previously been with Fulton Financial and it turned out that there were some better options out there in terms of rates of return if you look at the past 10 years in terms of performance under other investment firms. He thought it would be prudent to find the time to do that process. He was happy to hear that at some point that might be done.

**HOLMAN** Mr. Holman responded that shopping would be done; however, due to the time frames and the established working relationship it would be cost effective to move forward. There is already a trust relationship, so it makes it more simple in terms of waiving the fees.

**GURRERI** Mr. Gurreri commented that there will be a meeting with Fulton on November 3, 2004 at 9 a.m. He invited any Board members to attend if they could.

**BISHOP** Mr. Bishop noted that the Police Pension fund is actually managed by two different firms split in half. And Fulton does all of the administrative work on behalf of both managers. Legacy Trust has the other half of the management. The manager's approach is prudent but the performance must be reviewed. Legacy had been out-performing Fulton from what he had seen.

**MR. GURRERI MOVED TO AUTHORIZE APPOINTMENT OF FULTON FINANCIAL ADVISORS AS PENSION FUND MANAGEMENT CONSULTANTS FOR PAID FIREMEN PENSION PLAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – September 23, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 23, 2004 BOARD OF SUPERVISORS MEETING AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1. MESSRS. SCHENCK, BISHOP, BOWMAN AND GURRERI VOTED YES. MR. DVORYAK ABSTAINED AS HE WAS NOT PRESENT.**

**11. OLD BUSINESS:**

**A. Adoption of Updated Springettsbury Township Employee Policies Manual**

**SCHENCK** Chairman Schenck stated that item A will be held for future action.

**HOLMAN** Mr. Holman reported that an additional document was to be submitted to his office for inclusion into the manual.

**GURRERI** **Nutec Development**  
Mr. Gurreri commented on a matter involving Nutec regarding sidewalks. They were here last year and sidewalks were waived. He had questioned at that time why sidewalks would be waived because he thought they were needed. He wondered why they were needed now. He visited the site, and there were four or five places where cars could be driven. If sidewalks were put in some of the trees must be removed. Mr. Gurreri had missed the meeting where this was discussed, but putting sidewalks in front of their office had been discussed. Mr. Gurreri thought that would be sufficient, and he wanted further discussion.

**SCHENCK** Chairman Schenck asked whether he was looking for feedback of what the thought process was at that time.

**GURRERI** Mr. Gurreri stated that it had been waived before and they came back and changed the plan because they needed to do without an elevator. He personally did not think sidewalks were needed on the back side of the property, but they are needed on the front side. He wanted to know if anybody had any ideas of changing that.

**HOLMAN** Mr. Holman asked Mr. Baugh if they had brought a revision of the plan at this point to staff.

**BAUGH** Mr. Baugh responded that he had talked with Tim Bieber and they are going to bring a plan back and will be willing to accept the six-month note on the plan. They plan to put in a sidewalk for a small portion from Concord back to their entry drive and then put a six-month note on the plan for the balance of the sidewalk.

**SCHENCK** Chairman Schenck asked whether they would be submitting a new plan.

**BAUGH** Mr. Baugh responded that he was correct. They will come back and request a modification for the six-month note.

**HOLMAN** Mr. Holman noted that, since the plan was not officially before the Board, it could be discussed but no decisions could be made.

**RAUSCH** Solicitor Rausch commented that the problem was that they were not accepting the six-month note at all. They are now rethinking their position

and coming back and asking to just put in a little stretch and making a modification for some time when they feel that sidewalks are needed.

**GURRERI** Mr. Gurreri indicated his question was that it had been waived before and he thought sidewalks were needed; then why are they needed now. Since he was not at the meeting he didn't know what the discussion was.

**BAUGH** Mr. Baugh stated that the general policy of the Board on sidewalks had been established, and at that point in time it really had not been established. Also when that first plan was approved, it was viewed as that being the only building that was going to be there. What was then pointed out on the opposite side of that street, Kinsley already has approved Land Development plans. Today it may not look like buildings are going in there, but they will at some point in time. When that happens it will be determined they would need sidewalks. Right now it looks like it would be put out in the middle of nowhere, but that's not the case in the long run. If the general procedure is not to put sidewalks in to nowhere, future problems will develop. However, if sidewalks are required all along, there will be a sidewalk to somewhere.

**GURRERI** Mr. Gurreri thanked the Board for discussing the issue.

**14. NEW BUSINESS:**

**A. Authorization to Advertise Ordinance Establishing 25 MPH Speed Limit on Marion Road.**

**MR. BOWMAN MOVED TO AUTHORIZE ADVERTISEMENT OF THE ORDINANCE ESTABLISHING A 25 MILE PER HOUR SPEED LIMIT ON MARION ROAD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Request from Commonwealth Fire Company to Waive All Township Fees for Construction of a Pole Building**

**BAUGH** Mr. Baugh stated he would prefer not to waiver any fees but rather donate specific monies in a consistent manner.

**SCHENCK** Chairman Schenck indicated that the argument is that it's money out of one pocket into another since the Fire Company receives all their operating funds from the Township.

**BISHOP** Mr. Bishop asked whether there would be any other fees involved.

**HOLMAN** Mr. Holman responded that there would be an additional \$2.00 state fee.

**SCHENCK** Chairman Schenck asked whether there would be any storm water management issues.

- BAUGH** Mr. Baugh responded that there will be some but nothing major.
- GURRERI** Mr. Gurreri indicated he was in favor of waiving the fee.
- BISHOP** Mr. Bishop stated that he was in favor of the Board adopting a policy along the lines of what had been described by Mr. Baugh.
- DVORYAK** Mr. Dvoryak asked whether it was a fair characterization that money is being taken from the right pocket and put in the left.
- BISHOP** Mr. Bishop responded that it was in all probability. There would be those who would argue at some point that they are self-sufficient.
- SCHENCK** Chairman Schenck added that it would depend what the goal is.
- HOLMAN** Mr. Holman offered to write a policy concerning waiving fees.
- BISHOP** Mr. Bishop suggested to authorize the waiver of fees up to \$500.00.
- SCHENCK** Chairman Schenck indicated that if the amount was \$502.00, they would owe \$2.00.

**Consensus of the Board was agreement to waive fees up to \$500.00.**

**Budget Reviews**

- BOWMAN** Mr. Bowman asked about the mid-year budget reviews.
- HOLMAN** Mr. Holman responded that he was gathering reports regarding the budget, which he hoped to have some preliminary sessions over the next few weeks. Every Director had submitted budget requests. Work Sessions will be held with the Board.

**12. ADJOURNMENT:**

- SCHENCK** Chairman Schenck adjourned the meeting at 9:05 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 23, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular meeting on Thursday, September 23, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri

**MEMBERS NOT IN ATTENDANCE:** George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Andrew Stern, Asst. to the Township Manager/Acting Fire Chief  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri asked the Reverend Leon Denlinger, 3413 Deininger Road to offer a prayer.

**DENLINGER** Reverend Denlinger stated that he had been a resident of Springettsbury Township for over 50 years. He opened the meeting in prayer.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance. He thanked the residents for coming to the meeting.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. September 23, 2004 – 6:30 p.m. (personnel matters)**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held just prior to the Regular Meeting to discuss personnel issues. He added that Mr. Dvoryak was out of town and would not be in attendance.

**3. COMMUNICATION FROM CITIZENS**

**GUNNING** **Traffic Calming**  
Mr. Paul Gunning, 2205 East Philadelphia Street, stated that he had been active with the Traffic Calming project. He reported that the speed humps on East Philadelphia Street had been very effective and seemed to accomplish what was intended 90% of the time.

**GUDAT** **Apple Hill Curbing/Driveways**  
Mrs. Lori Gudat, 8 Apple Hill Lane, reported that the Township had recently resurfaced the road in front of her property and installed new curbing. She had not been able to negotiate her driveway with her vehicle since the roadway resurfacing. She had spoken with Mr. Lauer previously, who acknowledged there was a problem and suggested that some residents had laid macadam out into the street; however, she was aware that could not be done without a permit. She thought it would have been better if an engineer had come out to see what could be done to accommodate the residents getting in and out of their driveways. She added that there is a drainage problem as well.

**HOLMAN** Mr. Holman stated that he had discussed the matter with Mrs. Gudat and Mr. Lauer as well. Mr. Holman will investigate the curbing and driveway issues during his road trip scheduled for September 24<sup>th</sup> with Mr. Luciani.

**SCHENCK** Chairman Schenck asked whether the roadway is higher than her driveway.

**GUDAT** Mrs. Gudat responded that it is lower. The curbs needed to be sloped at the driveways.

**SCHENCK** Chairman Schenck stated that the Township would look into the matter and respond.

**DUNBAR** **Water Runoff**  
Mr. Robert Dunbar, 711 Skyline Drive, stated that he had been a resident for about a year. His problem is water runoff. His home

is at a low point at the intersection of Pleasant View Drive and Skyline. Water collects on the property and on the walkways, etc. He provided some photographs. The only drainage he had noticed is at the Hawks Club at the end of Pleasant View and Sherman Street. The water runs down hill into his neighbor's yard. He wasn't sure whether it had been an issue before, but there is about a six foot incline at the top of the hill down to his property. His basement had flooded during the recent rainstorms.

**SCHENCK** Chairman Schenck stated that some areas of the older neighborhoods had no curbing, which resulted in a problem not uncommon.

**DUNBAR** Mr. Dunbar wondered whether the Township could offer any solution.

**SCHENCK** Chairman Schenck stated that there are some minimal things that could be done, and a review will be made of the big picture for some water diversion. He asked Mr. Luciani and Mr. Holman to visit the property.

**KOLLER** **Apple Hill Curbing/Driveways**  
Mr. Tim Koller, 6 Apple Hill Lane, stated that he had lived on Apple Hill Lane for 22 years. He explained that the curbing is an old-style rolled curb with a very steep hill. Some driveways are somewhat off center and not the same pitch as the road or the curbs. Over the years, most of the neighbors had paved that curb out themselves. Some of the older curbs had disintegrated and were not a problem. When new curbs were added it became a problem. The resolution might be to pave the curb out in front of each individual driveway. He requested any help the Township could provide for the Apple Hill residents.

**WOCHESKI** **Roadway Surface/Pinehurst, Eastern Boulevard**  
Mr. John Wocheski, 430 Pinehurst Road, wondered about two streets recently resurfaced in his neighborhood of Pinehurst and Eastern Boulevard. He asked why one was so rough and one so smooth.

**SCHENCK** Chairman Schenck stated that Eastern Boulevard was paved with an asphalt wearing course, a smooth surface. Pinehurst was done with Raulumac, which is a paving surface used for less traveled streets. He indicated that the surface would become more smooth with use.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**                    **Barwood Road Sewer Project**  
Mr. Schober reported several updates. Regarding the Barwood Road project, staff had scheduled a meeting with residents for October 12, 2004 at 6 p.m.

**HOLMAN**                    Mr. Holman added that the meeting would be held in the Township offices. Each Barwood resident had been requested to come.

**A. Civil Engineer – First Capital Engineering**

**LUCIANI**                    **Water Runoff**  
Mr. Luciani provided several updates. He stated that he and Mr. Holman would be reviewing a list of residents contending with water problems. Mr. Lauer had gone out at 3:30 a.m. to review the problem areas. There were some issues along Pleasant Valley and Memory Lane Extended where pipes had been installed. Debris had clogged the pipes and water could not flow properly. Mr. Luciani was pleased to hear that the East Philadelphia Street speed humps had been effective. He reported that he will be reviewing updated traffic counts done by the Police Department, in order to make a comparison with previous counts. That review will reveal whether or not the objective had been reached or whether there is a need to do additional work. A report will be provided to the Board.

**LUCIANI**                    **Concord Road**  
Mr. Luciani indicated that the adoption of a segment of Concord Road appeared later on the Agenda. All that roadway will be dedicated. He will fill in the Deed book and page information.

**LUCIANI**                    **York Valley Inn Development**  
Mr. Luciani reported that a meeting had been held with the York Valley Inn developer. Sketch plans are being prepared for submittal, as well as some zoning and development issues for review.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of September 23, 2004**
- B. Kinsley Construction, Inc. – Eden Road Relocation Project – Progress Billing #2 in the amount of \$280,902.69.**
- C. T-A-H Construction, Inc. – Application for Payment No. 6 – Bar Screen & Septage Receiving Station in the amount of \$51,660.08.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A THROUGH C. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Bid Award – Binkley and Hurst, Inc. for 12 – Cubic Yard Biosolids Spreader in the amount of \$22,525.**

**HOLMAN** Mr. Holman stated that the bid received was within the Capital Budget for 2004.

**MR. GURRERI MOVED TO AWARD A CONTRACT TO BINKLEY AND HURST, INC. FOR A 12 CUBIC YARD BIOSOLIDS SPREADER IN THE AMOUNT OF \$22,525. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. T-A-H Construction, Inc. – Change Order Request #1 – Bar Screen and Septage Receiving Station in the amount of \$2,301.**

**HOLMAN** Mr. Holman stated that the bar screen Change Order represented an increase, which will improve the heat tracing device at the bar screen. Budget for the project was for a total of \$800,000. Original bid price was \$793,000. The price with this Change Order is \$795,901, well within the budgetary guidelines. Staff recommended approval.

**MR. GURRERI MOVED FOR APPROVAL OF T-A-H CONSTRUCTION, INC. CHANGE ORDER REQUEST #1 – BAR SCREEN AND SEPTAGE RECEIVING STATION IN THE AMOUNT OF \$2,301. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-04-01 – Motter Residential Preliminary Subdivision (9/30/04) – Action**

**BAUGH** Mr. Baugh provided background information regarding SD-04-01, which had been documented in his September 15, 2004 memorandum. He stated that the property currently is used for agriculture and abuts a tributary of Kreutz Creek and is mostly open field with a few patches of woods. The proposed use is an open space residential community. Eastern Boulevard also is proposed to be extended through the site from Locust Grove Road to Stonewood Road. The applicant had requested modifications of certain SALDO sections. Planning Commission had recommended approval as well, with certain modifications, most of which had

been addressed. Staff recommended approval with modifications and conditions as well.

**SCHENCK** Chairman Schenck asked about the future northwest portion of the tract and how much area would be included.

**BAUGH** Mr. Baugh responded that it was actually the northeast intersection of Eastern Boulevard and Locust Grove, which would most likely be a multi-family project.

**SCHENCK** Chairman Schenck asked about a right-of-way easement in the older development area. He noted that it did not appear to line up with anything in the project with no potential for pedestrians to cross over from one to the other.

**BAUGH** Mr. Baugh responded that one of the items discussed early in the planning was the possibility of putting in walking trails and connecting the parks. Maintenance became an issue, as well as privacy with people walking between houses. As a result the concept was dropped.

**SCHENCK** Chairman Schenck noted that the Township does not own the rights-of-ways.

**BAUGH** Mr. Baugh responded that right-of-ways are not owned; however, there are rights to use it.

**LUCIANI** Mr. Luciani added that the intention was to connect with a through street. As they went through the development process, the new tracts did not connect with the 30 year old neighborhood. Eastern Boulevard connecting with Stonewood will provide access in two directions.

**SCHENCK** Chairman Schenck indicated he was thinking more of pedestrian traffic, such as children able to get to the park. Obviously that discussion had been held with the Park & Rec Department.

**LUCIANI** Mr. Luciani indicated that the Park and Rec Board attempted to incorporate the current park system to make it more pedestrian friendly but there were too many challenges.

**SCHENCK** Chairman Schenck noted that the project is a large one, and the lack of questions and comments was the result of the project having come before the Board many times. Most of the points had been addressed previously.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 04-01, MOTTER  
RESIDENTIAL PRELIMINARY SUBDIVISION 1:**

- **TO GRANT A MODIFICATION OF SALDO §408, SIDEWALKS, TO ALLOW SIDEWALKS BE INSTALLED ON THE SOUTH SIDE OF EASTERN BOULEVARD AT THE TIME OF DEVELOPMENT AND A SIX-MONTH NOTE BE PLACED ON THE PLAN FOR THE NORTH SIDE;**
- **TO GRANT A MODIFICATION OF STORM WATER MANAGEMENT ORDINANCE §107.G, MINIMUM BOTTOM SLOPE TO ALLOW A BOTTOM SLOPE OF 1% IN ONE PORTION OF BASIN #2.**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PAYING A FEE IN LIEU OF PUBLIC RECREATION AREAS, TO BE PAID PRIOR TO FINAL PLAN APPROVAL AND PLACING A NOTE ON THE PLAN STATING SUCH;**
  - **PROVIDING A COPY OF EROSION AND SEDIMENTATION CONTROL PLAN ADEQUACY LETTER;**
  - **PROVIDING A HIGHWAY OCCUPANCY PERMIT WHEN RECEIVED FROM PENNDOT;**
  - **PROVIDING GENERAL PERMIT FROM DEP FOR THE STREAM CROSSING AT STATION 25 + 75, OR PROVIDING INFORMATION SHOWING THAT THE GENERAL PERMIT IS NOT REQUIRED.**

**MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck stated that Mr. Gurreri brought to his attention that a resident had received a Penn Waste invoice dated September 8, 2004, which included the photo documentation charge of \$1.00. Penn Waste had been advised some time ago that the fee was not included in the contract, and he could not charge the residents the fee. The contractor had agreed not to invoice such fee.

**HOLMAN** Mr. Holman asked whether the resident's name was indicated in the letter.

**SCHENCK** Chairman Schenck responded that it was.

**HOLMAN** Mr. Holman noted that another resident had presented a bill, which had been resolved.

**SCHENCK** Chairman Schenck stated that there should not be any charges of this nature. He asked whether there were any provisions in the contract for such issues.

**RAUSCH** Solicitor Rausch indicated there were only provisions for non-conformance.

- HOLMAN** Mr. Holman stated that he would address the matter in writing to the contractor. He had scheduled monthly meetings with the contractor to review all items in order to address them as quickly as possible.
- GURRERI** Mr. Gurreri suggested an item should be placed in the newsletter to advise the residents not to pay the charge.
- BISHOP** Mr. Bishop indicated that the entire scope of the problem needed to be understood in order to clarify and not further confuse the matter.
- GURRERI** Mr. Gurreri stated that the only way the contractor will stop this is if the Board takes steps to stop it.
- GURRERI** Mr. Gurreri reported that the brochure for Saturday in the Park was very nice.
- GURRERI** Mr. Gurreri asked why a tree had to be moved for \$337.00.
- HOLMAN** Mr. Holman responded that having the tree cut down would have cost about the same amount. It was a good sized Blue Spruce tree, and by saving the tree it was placed in the park for the future Phase III.
- SCHENCK** Chairman Schenck asked about the intersection of Stonewood and Old Orchard. He asked whether Mr. Holman and Mr. Baugh had visited the area and what they had observed.
- HOLMAN** Mr. Holman responded that they had visited the site. The state will come out and cut some trees back.
- BAUGH** Mr. Baugh stated that there are some old trees in that area. He added that PennDot had some different ways of looking at site triangles, 10 feet to the edge of the pavement. Our view of site goes back 75 feet. With the Township's site triangle, it is difficult to see. With PennDot's view, at 10 feet a motorist can see fairly well.
- SCHENCK** Chairman Schenck stated he did not see it that way.
- BAUGH** Mr. Baugh noted that the northwest and southeast corners need to have some work done on the trees.
- HOLMAN** Mr. Holman stated that the Township would have some of the foliage cut back.

**8. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had provided a written report to the Board. He stated that the Assembly Ordinance and Resolution to Adopt the Right-of-Way for Concord Road was on the Agenda for action.

**9. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that paperwork is being prepared for review with the Directors for the preliminary 2005 Budget. Work Sessions will be scheduled.

**HOLMAN** Mr. Holman reported that he had received a letter from Vanessa Shive of Stoneybrook Mennonite Cemetery and a letter from Mr. Roland Strawbridge requesting that the Township forgive \$6.22 in 2002 delinquent real estate taxes. The Board had previously cancelled the 2003 real estate taxes, but for some reason 2002 had been missed. This is a tax-exempt property. The school district had already forgiven their tax.

**MR. GURRERI MOVED TO FORGIVE THE 2002 REAL ESTATE TAXES FOR STONEYBROOK MENNONITE CEMETERY IN THE AMOUNT OF \$6.22. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop asked whether this same action would have to be taken every year.

**HOLMAN** Mr. Holman responded that they have had tax exempt status since 2003, and this was an item that was left over from the previous year.

**MOTION UNANIMOUSLY CARRIED.**

**A. Presentation on Dog Park**

**HOLMAN** Mr. Holman stated that a request had been made for an update on the status of the Park and Recreation Committee's work on the Dog Park. He asked Mr. Wendel and Mr. Mears to provide that update.

**WENDEL** Mr. Wendel provided an updated progress report on the open space project for dogs. He indicated that the Park & Rec Department had been working on this project over a year and a half, in which they had conducted preliminary research and planning on this development, which included the following:

- Park & Rec Board's Annual Report included the Dog Park Survey.
- Meat of the plan consisted of the on-line survey of over 250 respondents.
- Survey included:
  - Needs and benefits assessment as outlined in the plan
  - Site recommendations – Park & Rec Board involved, tour of all parks.
  - Same rules, regulations and policies would apply.
  - Preliminary design plan done at Camp Security, one of the sites identified as appropriate.

**MEARS**

Mr. Andy Mears of YSM provided a Power Point presentation with an overview and information regarding the estimated budget. He provided the following components:

- Contained public area where dog owners can go and run dogs off leash.
- Indicated current sites of dog parks in other areas.
- Fencing
- Pet waste disposal
- Gates for entrance and exits
- Separation big dogs, small dogs
- Amenities – water fountains, sprayers
- Shade

Mr. Mears indicated that typical costs ranged from \$10,000 to \$300,000. The park presentation suggested was estimated at \$130,000. It could be done in phases of \$40,000, \$60,000, etc. Public Works Department could do a lot of the work.

**SCHENCK**

Chairman Schenck stated that he was not expecting a cost of \$130,000. He asked for an explanation of how the phasing could be done and how the costs could be contained.

**MEARS**

Mr. Mears explained that much of the cost came from providing pavilions, utilities, etc. Main costs for the parking area was about \$12,000; fencing was estimated at \$20,000 for a total of approximately \$32,000.

**SCHENCK**

Chairman Schenck noted that would be the minimum cost.

**MEARS**

Mr. Mears added that there would be some storm water management and erosion control needed; landscaping at \$11,000, structures at \$12,000 could be phased in.

- GURRERI** Mr. Gurreri asked whether the parks they had visited all had the water and wash and spray areas. He had visited one in the Chicago area with two gates only, no shade. The dogs just ran for a half hour or so.
- WENDEL** Mr. Wendel stated that in the potential area there was some landscaping but no natural trees.
- HOLMAN** Mr. Holman advised that the Township ordinance would have to be changed. The more amenities added, the greater the cost.
- SCHENCK** Chairman Schenck indicated that the plan as presented would be a deluxe version. He had not expected such a large cost, but just a fenced area to begin a phased plan would be appropriate.
- WENDEL** Mr. Wendel stated that a dog park is a great example of a facility that is active and passive. Not only does it give dogs an opportunity to socialize, but also dog owners.
- BISHOP** Mr. Bishop asked whether the dog park could only be accessed from one direction.
- MEARS** Mr. Mears responded that Mr. Bishop was correct because there was a median.
- SCHENCK** Chairman Schenck noted that the soccer field could only be entered and exited in one direction. He asked how the Pasch plan directed traffic as far as Stoneridge Road and Eastern Boulevard.
- LUCIANI** Mr. Luciani responded that left turns on Cinema could be made and then a right. It would be a circuitous route.
- SCHENCK** Chairman Schenck asked what the Park & Rec Board thought of the project.
- WENDEL** Mr. Wendel responded that the overall feeling was positive in favor of creating such a facility, filling a need to provide an alternative for dogs, which the Park Survey had indicated.
- GURRERI** Mr. Gurreri asked whether it would be more advantageous to put the dog park within the Springettsbury Park area.
- WENDEL** Mr. Wendel responded that the concept had been discussed. However, because there are so many activities going on within the park, they felt it could be a problem to manage. People would be

walking their dogs from all directions. A new ordinance would have to be created.

**GURRERI** Mr. Gurreri commented that it could be in a more isolated area. He thought dogs should be permitted with the family.

**BISHOP** Mr. Bishop asked whether any thought had gone into funding sources for the dog park.

**HOLMAN** Mr. Holman responded that funding sources are being researched. Park & Rec had done a great job and presented a top-of-the-line dog park with a target cost. He had a list of the people who are interested in a dog park, and the same presentation will be provided for them.

**WENDEL** Mr. Wendel stated that several dog parks had been funded through user groups. That type of group, Board, Committee, etc. should be developed, not only for funding, but also because they will help police the park.

**GURRERI** Mr. Gurreri asked whether the park users should pay a fee.

**WENDEL** Mr. Wendel responded that normally a fee is not charged; however, there are some parks which charge an annual fee for a tag. A \$5.00 or \$10.00 fee would help cover some of the maintenance costs.

**RAUSCH** Solicitor Rausch asked what the statistics show on how many people would use this type of facility.

**WENDEL** Mr. Wendel responded that the research in the York County Treasurer's office indicated there are 28,000 dogs licensed with about 1,300 in Springettsbury Township. That would be a very low figure, as many dogs are not licensed. There is at least one dog in 45% of U. S. households. He thought that there are probably 5,000 dogs in Springettsbury.

**MEARS** Mr. Mears added that there is a ratio of about 20 dogs per acre for the dog park; ¼ acre for smaller dogs.

**SCHENCK** Chairman Schenck stated that he appreciated the update. He added that it was no secret that he has a strong interest in a dog park. However, it is a decision the entire Board will have to make, and it will have to go through the budget process.

**HOLMAN** Mr. Holman stated that the next step is that the Park and Rec Board would show the presentation to individuals who expressed an interest in the dog park. A review will begin to see how it can be accomplished and how it can be funded.

**WENDEL** Mr. Wendel commented that a dog park would be unique to this area.

**RAUSCH** Solicitor Rausch added that it would be the first one in the York area.

**GURRERI** Mr. Gurreri asked about the budget for Saturday In The Park.

**HOLMAN** Mr. Holman responded that the costs would be offset by the revenues coming from the radio station. Some of the costs include the brochure, and the number of sponsors had increased. The Board will be kept informed as to the status of the costs versus the budget.

**SCHENCK** Chairman Schenck asked whether it was known to be costing more than budgeted.

**HOLMAN** Mr. Holman responded that he knew it would be costing about \$35,000, and revenue came in at \$35,000, which is a wash.

**SCHENCK** Chairman Schenck asked whether the costs would not go over what had been budgeted.

**BISHOP** Mr. Bishop added that none of the budget that the Board authorized will be used.

**HOLMAN** Mr. Holman indicated that any money left over will be moved into the repair of the rails. He noted that the rails did not appear to have any primer on them, and the material was not powder coated. Mr. Lauer had provided an estimate to sand blast and paint.

**10. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-10 – Providing for the Licensing and Regulation of Parades and Public Assemblies.**

**SCHENCK** Chairman Schenck asked Solicitor Rausch if the Ordinance included an appeal clause.

**RAUSCH** Solicitor Rausch responded that an appeal clause was included. He summarized the main points in the Ordinance as itemized in the September 23, 2004 Press Release.

**HOLMAN** Mr. Holman stated that the Police Chief had been very responsive with a review of requests. Permits had been turned around very quickly.

**MR. BOWMAN MOVED FOR APPROVAL OF ORDINANCE NO. 04-10, PROVIDING FOR THE LICENSING AND REGULATION OF PARADES AND PUBLIC ASSEMBLIES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-65 – Request for Reimbursement from PennDot of Transportation for Manhole Grade Adjustments for Realignment of North Sherman Street, Mundis Mill Road and Mt. Zion Road.**

**MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 04-65, REIMBURSEMENT FROM PENNDOT FOR MANHOLE ADJUSTMENTS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-66 – Authorizing Acceptance of Offer of Right-of-Way for Concord Road Extended**

**HOLMAN** Mr. Holman asked Mr. Luciani to provide information. A meeting had been held at the Solicitor's office to review what would be needed for obtaining the crossings.

**LUCIANI** Mr. Luciani indicated the segment from Mt. Zion Road to Concord Road to Sam's Club, ¾ mile of roadway, was offered for dedication. It had been discussed with the PUC. Recommendation accepted the entire segment of roadway.

**SCHENCK** Chairman Schenck asked whether the Township would accept the road as well.

**LUCIANI** Mr. Luciani responded that he was correct.

**BISHOP** Mr. Bishop added that it had been offered to the Township many, years ago and is necessary to obtain the crossing.

**HOLMAN** Mr. Holman stated he had discussion it with most of the affected properties and businesses.

**SCHENCK** Chairman Schenck commented that he favored the action. He mentioned that with heavy snows, they had been opening the street

promptly. That service may not continue from the Township; however, if it is adopted, then the Township has the responsibility for it.

**HOLMAN** Mr. Holman indicated that those matters could be solved.

**MR. GURRERI MOVED TO ADOPT RESOLUTION 04-66 AUTHORIZING THE ACCEPTANCE OF RIGHT-OF-WAY FOR CONCORD ROAD EXTENDED. MR. BOWMAN WAS SECOND.**

**LUCIANI** Mr. Luciani indicated he had all the documentation for this Resolution.

**MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – August 26, 2004**

**MR. BISHOP MOVED TO APPROVE MINUTES FROM THE AUGUST 26, 2004 BOARD OF SUPERVISORS MEETING AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION CARRIED 3/1. MESSRS. BISHOP, BOWMAN AND SCHENCK VOTED YES. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Work Session – September 9, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 9, 2004 WORK SESSION AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Board of Supervisors Regular Meeting – September 9, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE REGULAR BOARD OF SUPERVISORS MEETING OF SEPTEMBER 9, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

There was no Old Business for discussion.

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of August 31, 2004 Treasurer's Report.**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE AUGUST 31, 2004 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of Minimum Municipal Obligations for Pension Plans.**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATIONS FOR PENSION PLANS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of Correspondence from Auditor General Authorizing Release of 2004 State Aid (Springettsbury Township Volunteer Firefighter's Relief Association).**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE CORRESPONDENCE FROM THE AUDITOR GENERAL AUTHORIZING RELEASE OF 2004 STATE AID FOR SPRINGETTSBURY TOWNSHIP VOLUNTEER FIREFIGHTER'S RELIEF ASSOCIATION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Update of Employee Policies Manual**

**HOLMAN** Mr. Holman stated that no action was being requested at this time. More time is needed for review. They had been working on it for the past eight months. The update will be forwarded to the bargaining unit members. It meets Federal and State standards. He had completed a review and thanked the staff for their work. He will request a motion for adoption from the Board during the next meeting.

**Authorization of Payments**

**BOWMAN** Mr. Bowman commented on the Accounts Payable item for T-A-H Construction. He asked whether that had been approved as a whole project.

**HOLMAN** Mr. Holman stated that Mr. Bowman had authorized a check for the Regular Payables. It was unnecessary since it already had been authorized. Mr. Hadge brought the item to his attention. It simply provides an audit trail.

**BOWMAN** Mr. Bowman asked whether it could delay payment by handling it this way.

**HOLMAN** Mr. Holman responded that it would not delay it. When Regular Payables are authorized, the payments are made.

**SCHENCK** Chairman Schenck noted that there had been times where the Board had not authorized payment.

**HOLMAN** Mr. Holman noted that in cases like that, the check would be pulled from regular payables.

**BISHOP** Mr. Bishop stated that he liked seeing them listed. Mr. Bowman was concerned that the process might slow down payments to vendors, by doing something twice.

**HOLMAN** Mr. Holman indicated that vendors are paid within 30 days. The only thing that might hold it up would be where certain items might not have been completed. It might be sent back.

**14. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:40 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 9, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 9, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Teri Markley, Grants and Public Relations/Events Specialist  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:15 p.m. He welcomed the attendees. He apologized for the late start.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck opened in prayer in honor of the third anniversary of 9/11 and those who lost their lives in service to America. He led the Pledge of Allegiance.

**B. Loyalty Oath – Fire Fighter George Lester Rhoads, III**

**SCHENCK** Chairman Schenck welcomed the support exhibited by the presence of the members of the Fire Department.

**STERN** Mr. Stern introduced George Lester Rhoads, III, the newest full-time member of the Fire Department as of August 30, 2004. Mr. Rhoads will fill in for Scott Little who is serving in the Marine Corps in Iraq. Mr. Rhoads is completing a four-week training program, is an experienced Fire Fighter and certified in EMS.

**SCHENCK** Chairman Schenck administered the Loyalty Oath to Mr. Rhoads.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. September 9, 2004 – 6:00 p.m. (personnel and legal matters)**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held at 6 p.m. to discuss personnel issues centered on the new potential labor agreement. There will be an additional Executive Session after the meeting to discuss legal issues surrounding the A. A. Myers/ACLU lawsuit and pending litigation regarding the sewer.

**3. COMMUNICATION FROM CITIZENS:**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, reported on vandalism and deer spotters occurring in the Trout Run Road area. He requested additional patrolling in that area to curtail the activity. Mr. Stuhre commented on re-routing of traffic over Druck Valley Road concerning the new Central High School. He suggested a traffic light or four-way stop sign. He added additional comments on the truck traffic on Mt. Zion and Mundis Mill Roads.

**SCHENCK** Chairman Schenck expressed thanks to him for his comments and indicated that the Board would address all the items the best possible way. He reported that the detour plan will legally force truck traffic out to Route 30 and not up over Mt. Zion with the hope the truckers will learn that what is perceived to be a short cut really isn't.

**4. ENGINEERING REPORT:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that there were no updates or additions to his written report. However, he mentioned that they are working with Township staff with regard to a long-range sewage collection replacement/repair program.

**SCHENCK** Chairman Schenck asked about the duration of the review, and how soon it could be incorporated into the sewer rate.

**HOLMAN** Mr. Holman responded that a review is being made of all the rates based on districts and numbers and not necessarily based on budget. There does not appear to be an impact, however, a review of the long-term program will enable them to see what is needed to make sure the funds are in place. The study should be done as soon as possible on a planned basis. The plan will also provide a better opportunity to apply for funding for replacement.

**SCHOBER** Mr. Schober reported that tapping fee recalculation is being reviewed. A new law is in place and recalculation must be completed by summer, 2005. They will be getting started on the recalculation to see how it will impact the Township's tapping fees. The calculation is different and the tendency is to drive the tapping fee lower than what it currently is.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that the items in his written report appear on the Agenda under the Land Development reviews. He planned to discuss each plan as it is considered.

**GURRERI** Mr. Gurreri asked about the Sheridan Road curve.

**LUCIANI** Mr. Luciani responded that the right-of-way letters had no aggressive responses. Of the four sections of right-of-way required to get, only one voluntarily provided it. The discussions with the homeowners could be intensified; the property could be condemned. Right-of-way on Sheridan Road is only 22 feet; cartway is about 20 feet. No right-of-way is available without the cooperation of those owners.

**GURRERI** Mr. Gurreri stated that the Township should intensify those efforts toward condemnation.

**HOLMAN** Mr. Holman stated that the efforts will be intensified. The property owners had been notified, and the staff is working on it.

**LUCIANI** Mr. Luciani added that several rounds of letters went out to those people without a good response. One individual was very opposed to the project.

**SCHENCK** Chairman Schenck introduced Jake MacDonald, a Boy Scout from Troop 25 who is working on his Citizenship Merit Badge.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of September 9, 2004.**
- B. T-A-H Construction, Inc. – Application for Payment No. 5 – Bar Screen & Septage Receiving Station in the amount of \$273,357.88.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Collective Bargaining Agreement between International Association of Fire Fighters (IAFF) and Springettsbury Township for the period January 1, 2004 through and inclusive of December 31, 2009.**

**SCHENCK** Chairman Schenck commented that item A is a proposed contract with the IAFF and which is a significant contract in that it is a six-year contract.

**HOLMAN** Mr. Holman stated that the negotiations had taken place slightly over a year. Based on the cost analysis and work with the Union, as in all contracts, there were give and takes from both sides. It was a fair and equitable settlement. The Bargaining Unit took a risk as well going to a six-year contract term. It was a very professional negotiation. He recommended that the contract be approved.

**GURRERI** Mr. Gurreri thanked Mr. Holman and Mr. Stern for putting this together with the Fire Company. He reported that Mr. Dvoryak had asked a lot of tough questions, which Mr. Gurreri found helpful.

**SCHENCK** Chairman Schenck recognized Jim Kimes, who worked hard on the agreement with Mr. Holman, and Springettsbury Township appreciated everything done by the Fire Fighters.

**KIMES** Mr. Kimes stated that it was a year-long process. Mr. Holman was welcomed to the Township by introducing him to labor negotiations. Everything went very smoothly, and he was very happy with the professional way it had been handled.

**MR. BISHOP MOVED TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS FOR SIX YEARS FROM JANUARY 1, 2004 CONDITIONED ON SETTLEMENT OF A FEW PERSONNEL ISSUES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Award of Contract based on RFP's for Completion of the Comprehensive Plan to Kise Straw & Kolodner in amount not to exceed \$120,590.**

**HAWTHORNE** Becky Hawthorne presented a Power Point presentation showing an overview of the Request for Proposal for the Comprehensive Plan. She provided a chronological report of the progression, as well as a listing of the staff members involved. The firm of Kise, Straw and Kolodner received the Planning Commission's recommendation to the Board of Supervisors. Staff concurred and recommended approval.

**SCHENCK** Chairman Schenck stated that Kise, Straw and Kolodner had presented their firm's recommendations for the Comprehensive Plan during an

earlier meeting. Ms. Hawthorne's presentation provided useful information as to how the decisions had been made for recommendation.

**HOLMAN** Mr. Holman commented that, even though the cost analysis was not reviewed by the committee, all the costs were reviewed and fell within the budgetary limitations set within the RFP. Staff, CPC and Planning Commission had worked very hard on the project as well as several members of the Board of Supervisors.

**BISHOP** Mr. Bishop noted that the presentation had been very helpful and organized.

**MR. GURRERI MOVED TO AWARD THE BID BASED ON THE RFP FOR COMPLETION OF THE COMPREHENSIVE PLAN TO KISE, STRAW & KOLODNER IN AN AMOUNT NOT TO EXCEED \$120,590. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Permission to Advertise for Sealed Bids for Sale of Four (4) Township Vehicles.**

**MR. DVORYAK MOVED TO AUTHORIZE PERMISSION TO ADVERTISE FOR SEALED BIDS FOR THE SALE OF FOUR (4) TOWNSHIP VEHICLES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-04-04 – James Meadows Time Extension to 10/31/04**
- B. LD-04-03 – Concord Properties Time Extension to 10/31/04**

**MR. BISHOP MOVED TO GRANT THE REQUEST FOR TIME EXTENSIONS FOR SUBDIVISION 04-04-JAMES MEADOWS AND LAND DEVELOPMENT 04-03-CONCORD PROPERTIES TO OCTOBER 31, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD 04-02 – Sheridan Manor Phase II – Action**

**BELEN** Mrs. Belen provided background information as documented in a memorandum dated September 1, 2004. The Phase II subdivision is located on the west side of Sheridan Road at Mundis Mill Road, Map 40, Parcel 1A and is currently a vacant lot with one existing dwelling in the R-2 Medium Density Residential District. The total Phase II is 15.67 acres. Applicant proposed to create a single-family residential development consisting of 25 lots. The plan had been reviewed by Planning Commission with several modifications and conditions listed, most of which had been addressed. Mrs. Belen provided a slide of the location. Staff recommended approval of the plan with several modifications.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 9, 2004  
APPROVED**

- GURRERI** Mr. Gurreri noted an estimated cost of \$108,000 for sidewalk, curbs and widening.
- LUCIANI** Mr. Luciani stated that Mundis Mill Road is a minor arterial, and it is a requirement to widen 17 feet from the center line. Continuing toward Central High School to the intersection of Sheridan and Mundis Mill, the roadway was widened, and there is an unused shoulder. Mr. Luciani's estimate of \$108,000 included curbs, sidewalk, widening, drainage, and traffic, etc.
- DVORYAK** Mr. Dvoryak asked whether the intent is to use part of those proceeds and have the Township install the sidewalks.
- LUCIANI** Mr. Luciani responded that he was correct. A portion of the money from Central High School will be used for signal improvements at Sheridan and Mundis.
- SCHENCK** Chairman Schenck commented that there will be more curbing and sidewalks provided than what the developer is required to do. It will tie into the overall project as a result of the high school development.
- LUCIANI** Mr. Luciani pointed out that there are two driveways within this development that cannot be accessed into the interior streets that come out onto Mundis Mill. For those two driveways the developer had allocated \$80,000 for curb and sidewalk separately. Curb and sidewalk will be placed along Sheridan and all the interior streets, but over and above that two driveways will go out to Mundis Mills, and \$75,000 had been allocated for curb and sidewalk at that location. It will be part of the HOP.
- BISHOP** Mr. Bishop asked about placing a note on the plan with regard to the lot owners being responsible for the maintenance of landscaping and buffering plantings.
- BELEN** Mrs. Belen stated that when an individual comes in for a Building Permit a notation is made on the Permit concerning such an issue. The Subdivision Plan that had been approved is reviewed, and they are made aware of maintenance issues at that time.
- BISHOP** Mr. Bishop responded that it is more of a long-term maintenance issue. He asked whether there would be a way to enforce long-term maintenance.
- BAUGH** Mr. Baugh echoed Ms. Belen's statement that they are advised at the time of the Building Permit.

- BISHOP** Mr. Bishop stated that the homes are being built by the builder, and as a result the homeowner would not know about the maintenance responsibilities even if there is a note on the plan.
- RAUSCH** Solicitor Rausch commented that there should be a note on the plan.
- BAUGH** Mr. Baugh stated that in the Kingswood Plan one of the requirements was a note on the plan informing the buyers of the home of issues in the Deed. It could be a note added to this plan as well.
- SCHENCK** Chairman Schenck asked whether that would make a difference and whether the title company would pick up that note.
- RAUSCH** Solicitor Rausch stated that the note would be placed on the Deed, which is a document most homeowners read.
- BAUGH** Mr. Baugh suggested that, while the opportunity exists, it should be added. In the future any time there are issues such as stormwater, maintenance ponds, etc., the note should be included in future plans.
- RAUSCH** Solicitor Rausch stated to place that restriction on the Deed, which keeps the matter clear. It would be transferred to any future property owner.

**MR. GURRERI MOVED FOR APPROVAL OF SD-04-02 – SHERIDAN MANOR II**

- **TO GRANT A MODIFICATION OF SALDO §408/502.3, CONDITIONED UPON SUBMITTAL OF A CONTRIBUTION OF \$75,000 SO THAT THE IMPROVEMENTS CAN BE MADE IN CONJUNCTION WITH OTHER TRAFFIC IMPROVEMENTS IN THE AREA**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PROVIDING NOTARIZED SIGNATURE OF OWNER PRIOR TO FINAL PLAN APPROVAL,**
  - **PROVIDING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER**
  - **ALL RECREATION AND APPLICABLE FEES BEING PAID BY THE DEVELOPER.**
- **ADD A NOTE ON THE PLAN FOR LANDSCAPING AND MAINTENANCE TO BE INCLUDED IN THE DEED DESCRIPTION.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked the developer for working with the Township on their contribution.

**D. SD-04-03 – Sheridan Manor Phase III – Action**

**BELEN** Mrs. Belen presented background information concerning SD-04-03, as documented in the September 1, 2004 memorandum. She stated that the

subdivision is located on the west side of Sheridan Road approximately 1000 feet from Mundis Mill Road. The applicant proposed to create a single-family residential development consisting of nine lots. The Planning Commission had reviewed the plan with several modifications and conditions, most of which have been addressed. Staff recommended approval of the plan. She presented a slide of Phase III. Staff recommended the addition of the same note concerning the owner's responsibility for landscaping or other improvements.

**MR. GURRERI MOVED FOR APPROVAL OF SD-04-03 SHERIDAN MANOR III**

- **TO GRANT A MODIFICATION OF SALDO §502.j TO ALLOW THE CUL-DE-SAC LENGTH TO BE 750 FEET;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PROVIDING NOTARIZED SIGNATURE OF OWNER PRIOR TO FINAL PLAN APPROVAL;**
  - **PROVIDING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL WHEN OBTAINED;**
  - **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER;**
  - **ALL RECREATION AND APPLICABLE FEES BEING PAID BY THE DEVELOPER.**
- **WITH A NOTE ON THE PLAN FOR LANDSCAPING AND MAINTENANCE TO BE INCLUDED IN THE DEED DESCRIPTIONS.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Kingswood Estates Final Subdivision Plan – Action**

**BELEN** Mrs. Belen provided background information concerning the Kingswood Estates Final Subdivision Plan as documented in a September 1, 2004 memorandum. This plan had been reviewed previously as a preliminary plan and was approved in April of this year. This is Kingston/Edgewood Road Subdivision with 53 lots. This plan was approved by the Planning Commission with a modification and several conditions noted in the memorandum. Most of the outstanding items had since been addressed. Staff recommended approval as well.

**SCHENCK** Chairman Schenck asked for clarification of a vertical curve.

**LUCIANI** Mr. Luciani explained that the matter related to the crown of the road, the steep slopes of the area, and leveling areas into intersections. The transitions were made through AASHTO Standards. He added that the condition should remain, but in concept an agreement had been reached.

**GURRERI** Mr. Gurreri asked whether the lot owner would be responsible for any stormwater issues in the street.

- LUCIANI** Mr. Luciani responded that anything within the street right-of-way is the responsibility of Springettsbury Township.
- DVORYAK** Mr. Dvoryak asked for a clarification of cobra lighting.
- BAUGH** Mr. Baugh explained that in a cobra lighting fixture, the light sits on the top of the Met-Ed electric pole, and the head of that pole is shaped like a cobra, so it's called a cobra light.
- SCHENCK** Chairman Schenck noted that it is not a regular street light that hangs out on an arm on a pole. He asked whether the Township required some other type of street light.
- LUCIANI** Mr. Luciani responded that the Township requires a pole mounted light with a Met-Ed globe at the top of it, a straight light fixture. He explained that the reason they decided on the cobra lighting is that if the light burned out in the Graystone or Haines Acres area, Mr. Lauer is responsible for replacing that bulb. In this location with sidewalk and widening curb they are required to put four street lights. They asked the Township staff for consideration to hang them on the Met-Ed poles, which are on the opposite side of the street, which would then be Met-Ed's responsibility to replace those bulbs. The Township will pay the electric bill at \$10.00 a month versus \$8.00 a month.
- HOLMAN** Mr. Holman commented that Mr. Lauer had reviewed the lighting and recommended moving forward with the cobra lighting.
- GURRERI** Mr. Gurreri asked whether there would be any plantings in the stormwater basins.
- LUCIANI** Mr. Luciani responded that a buffer is needed between the road and the homes.
- HOLLEY** James Holley, of James R. Holley Associates stated that Joe Scerbo had asked him to request one more time if there could be some relief granted regarding the sidewalk and the curb on Edgewood. They had asked the staff to consider allowing them to put the sidewalk right next to the curb rather than allow the four-foot grass strip. If that's not agreeable, even a two-foot grass strip helps with cutting back that bank along Edgewood Road.
- GURRERI** Mr. Gurreri asked how the homeowner would get to that sidewalk.
- HOLLEY** Mr. Holley responded it would be necessary to walk down to Kingston and back around to Edgewood.

- SCHENCK** Chairman Schenck stated that the item had been previously acted upon as a separate item. The Board voted to require the sidewalks per the ordinance. The request could be considered.
- BOWMAN** Mr. Bowman recalled that in the previous discussion they wanted to waive the sidewalk. This request is simply to move it. He commented on the snowplows throwing snow on the sidewalk in the winter.
- GURRERI** Mr. Gurreri added that there would be a maintenance problem with grass in the area.
- SCHENCK** Chairman Schenck indicated that they would be responsible for cutting that grass.
- BISHOP** Mr. Bishop recalled the previous discussion about a Homeowner's Association being responsible for maintenance.
- BAUGH** Mr. Baugh stated that all through the process of this plan, the staff had requested over and over again that they form a Homeowner's Association to take care of the detention basins, the sidewalk and so forth, and the developer had refused. That would have been the solution to the maintenance problem.
- BISHOP** Mr. Bishop stated that someone must be responsible. He did not personally see a lot of difference between four or two feet providing much relief.
- SCHENCK** Mr. Schenck asked what the overall impact would be of reducing that grass strip to two feet.
- LUCIANI** Mr. Luciani responded that from a grading standpoint the bank is shown laid back at a 3/1 slope because that's in the steep slope area. Perhaps the first couple of feet might allow them to avoid some rock. It would change the grading plan some.
- SCHENCK** Chairman Schenck commented that he could be persuaded to give them two feet if the Board so desired.
- LUCIANI** Mr. Luciani stated that room is needed for signage, speed limit signs, no parking, etc.
- SCHENCK** Chairman Schenck indicated he would not want to see signs in the middle of a sidewalk.
- GURRERI** Mr. Gurreri indicated he did not have a problem with giving the two feet.

- BAUGH** Mr. Baugh noted that there would not be a lot of room for telephone poles if the two feet was allowed.
- SCHENCK** Chairman Schenck asked for assurance that there would not be a sidewalk with an obstacle in the middle.
- HOLLEY** Mr. Holley responded that if there would be telephone poles in conflict with the sidewalk they would phase or angle the sidewalk around the poles so that there would be plenty of grass area.
- DVORYAK** Mr. Dvoryak stated that he had not been in favor of putting sidewalks in that location. His concern was that it would encourage skateboarders and bicycle riders in an area of one of the busiest roads in York County. He had a safety concern. He questioned whether two feet would change the safety factor.
- HOLMAN** Mr. Holman commented that the four feet allows for signage and poles.
- HOLLEY** Mr. Holley recalled that the Planning Commission recommended an alternate sidewalk route on one end of the development or another. That's the real safe way to do it.
- SCHENCK** Chairman Schenck asked for the Board's recommendation.

**MR. BISHOP MOVED TO DENY THE APPLICANT'S REQUEST FOR RELEASE FROM SPRINGETTSBURY TOWNSHIP'S SIDEWALK ORDINANCE. MR. DVORYAK WAS SECOND. MR. SCHENCK, MR. DVORYAK AND MR. BISHOP VOTED YES. MR. GURRERI AND MR. BOWMAN VOTED NO. MOTION CARRIED 3/2.**

**MR. BISHOP MOVED WITH RESPECT TO KINGSWOOD ESTATE FINAL PLAN SUBDIVISION 04-10, TO:**

- **GRANT THE MODIFICATION TO ALLOW INSTALLATION OF COBRA LIGHTS ALONG EDGEWOOD ROAD ON EXISTING MET-ED POLES; AND APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PROVIDING OWNER'S NOTARIZED SIGNATURE PRIOR TO FINAL PLAN APPROVAL;**
  - **RESOLUTION OF INTERSECTION GEOMETRY PER AASHTO STANDARDS;**
  - **PLACING A NOTE ON THE PLANS THAT A NOTE WILL BE INCLUDED IN THE DEEDS STATING THAT ALL STORM WATER FACILITIES AND SIDEWALKS ARE THE RESPONSIBILITY OF THE LOT OWNERS FOR ALL AFFECTED LOTS;**
  - **RECEIVING BONDING FOR PUBLIC IMPROVEMENTS.**
- MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. SD-04-11 – RTI Technologies Subdivision – Action**

**BELEN** Mrs. Belen provided background information concerning RTI Technologies as documented in the September 1, 2004 memorandum. The parent tract property is currently used for agriculture and its proposed use for Lot A will consist of office space and manufacturing. The applicant requested a waiver of SALDO §304, Submission of Preliminary Plan, which Planning Commission recommended granting. Staff recommended approval of granting the waiver with the condition that the conditions of SD-03-02, Motter Industrial Subdivision are met. Staff recommended approval of the plan with no conditions.

**SCHENCK** Chairman Schenck suggested to consider the Land Development Plan along with the Subdivision Plan recognizing the fact that action needed to be taken separately.

**G. LD-04-07 – RTI Technologies Land Development - Action**

**BELEN** Mrs. Belen stated that the Land Development Plan accompanies the RTI Subdivision. This plan was previously before the Planning Commission with the waivers and the conditions listed in the September 1, 2004 memorandum. Staff recommended approval of the waiver of §304 Submission of preliminary plan with the same conditions, and waiver of SW §107G. Detention basin minimum bottom slope of 4 percent. Staff recommended approval of the plan with the listed conditions.

**BAUGH** Mr. Baugh stated that the zoning is the same. They're both industrial but the uses are different so buffering would be needed.

**LUCIANI** Mr. Luciani stated that the developer planned to provided the required 24 trees.

**SCHENCK** Chairman Schenck asked about the old access road to the Township pumping station. He wondered whether that would be needed.

**HODGKINSON** Mr. Hodgkinson stated he did not believe it would be affected by the plan.

**LUCIANI** Mr. Luciani indicated there were access routes shown, which are dirt roads.

**HODGKINSON** Mr. Hodgkinson indicated that access would be needed if anything ever happened to the East York Pump Station.

**LUCIANI** Mr. Luciani stated that the Township would still be able to gain access. During the next Land Development with residual lands, they will define that easement.

**HODGKINSON** Mr. Hodgkinson added that the access needed is on the east side of the Motter building to get straight back to the pump station.

**LUCIANI** Mr. Luciani commented on the flooding problem on Market Street. The developer had provided a curb cut. Mr. Lauer installed Jersey barriers to prevent the water from flooding in the railroad property. Presently the water flows across Market Street, which is not an ideal situation. It is intended to flow into double pipes underneath driveways, which would be privately owned and maintained, which will allow the water to flow across the area into a channel at Kreutz Creek where it belongs. That was contemplated as part of the plan.

**MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION 04-11, RTI TECHNOLOGIES:**

- **TO GRANT A WAIVER OF §304, SUBMISSION OF PRELIMINARY PLAN WITH THE CONDITION THAT THE CONDITIONS OF SD 03-02, MOTTER INDUSTRIAL SUBDIVISION ARE MET.**
- **TO APPROVE THE PLAN AS PRESENTED.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. DVORYAK MOVED, WITH REFERENCE TO LD 04-07, RTI TECHNOLOGIES,**

- **TO GRANT A WAIVER OF §304, SUBMISSION OF PRELIMINARY PLAN, WITH THE CONDITION THAT THE CONDITIONS OF SD 03-02, MOTTER INDUSTRIAL SUBDIVISION ARE MET;**
- **TO GRANT A WAIVER OF SW §107.G, DETENTION BASIN MINIMUM BOTTOM SLOPE OF 4 PERCENT;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **RECEIVING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL;**
  - **RECEIVING A HIGHWAY OCCUPANCY PERMIT FOR THE CUL-DE-SAC AND MARKET STREET PRIOR TO FINAL APPROVAL;**
  - **BUFFERING BETWEEN INDUSTRIAL AND COMMERCIAL HIGHWAY ZONING DISTRICTS.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. LD-04-06 – M&G Realty, Rutter’s Car Wash – Action**

**BELEN** Mrs. Belen provided background information as documented in the September 1, 2004 memorandum. She presented the Land Development Plan for the Rutter’s Car Wash. The property is located in the Commercial-Highway District and consists of a three-story office and bank building, a convenience store with gas pumps and a vacant restaurant, which will be a bank. The applicant proposed an automatic car wash behind the existing convenience store. Planning Commission recommended granting a waiver and several conditions, noted in the

memo, most of which have since been addressed. Staff recommended approval of a waiver and several conditions also noted.

**GURRERI** Mr. Gurreri commented on the maze of activity on the property. He asked how motorists would get around within the location.

**LUCIANI** Mr. Luciani agreed that there are multiple uses on the property. However, there is no ordinance that prohibits such uses on a single tract. All coverage, landscaping, traffic requirements are met. Further discussion was held on the possibilities of changing the car wash location. However, it was determined the current plan is the best option in consideration of all the issues.

**GURRERI** Mr. Gurreri asked whether there would be enough parking.

**LUCIANI** Mr. Luciani assured him that there was more parking than is required.

**BISHOP** Mr. Bishop asked about the plan for using the \$2500 contribution towards traffic improvements.

**LUCIANI** Mr. Luciani responded that there are plans for the \$5,000 from Commerce and \$2500 from Rutter's. There will be a tightening up of the intersection, moving some of the median at Whiteford and Mt. Zion, adjusting the left-turn movements and stop bars, making modifications to lanes, all of which involve mostly painting.

**GURRERI** Mr. Gurreri asked whether there had been any thought given to the removal of the awning in front of the Rutter's store.

**LUCIANI** Mr. Luciani responded that it had been addressed very early in the planning stages, and it was not part of their plan.

**SCHENCK** Chairman Schenck asked whether there were any engineering standards for bank drive-through lanes. He noted that the M&T Bank at York Mall drive-through is extremely tight.

**LUCIANI** Mr. Luciani responded that a typical standard lane width is 12 feet. Drive-through lanes narrow down to nine feet. The key is to align the vehicle up at the right point.

**SCHENCK** Chairman Schenck asked whether that issue would be one that the Township should review.

**LUCIANI** Mr. Luciani responded that technology had changed so much with ATM's etc. They had reviewed every possible option.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 04-06, M & G  
REALTY RUTTER'S CAR WASH:**

- **TO GRANT A WAIVER OF \$304, SUBMISSION OF PRELIMINARY PLAN;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
  - **PROVIDE SEAL AND SIGNATURE OF THE ENGINEER AND SURVEYOR AND OWNER'S NOTARIZED SIGNATURE PRIOR TO FINAL PLAN APPROVAL**
  - **RECEIVING A TRAFFIC IMPROVEMENT CONTRIBUTION OF \$2500.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri congratulated Mr. Dvoryak who had been named Vice President of Membership of Toastmasters, Int.

**GURRERI** Mr. Gurreri indicated he was sorry to have missed the last meeting.

**BISHOP** Mr. Bishop reminded everyone of the Saturday In The Park function. If the Board wanted to have a team in 303 tournament, that could be accommodated. The staff and committee had been working very hard on it, and there will be a lot of interesting things happening.

**BOWMAN** Mr. Bowman asked about the traffic calming on Eastern Boulevard. A resident had asked for a four-way stop sign on Eastern and Kershaw and had complained that motorists are still flying through there. Four-way stop signs are not permitted. He asked whether anything more is to be done in that location.

**HOLMAN** Mr. Holman stated that he was reviewing what occurred in 2000 and 2002. He had a meeting with residents and Mr. Gurreri several weeks ago. He noted it in his report for continuity. He promised the residents he would respond to them as soon as he finished doing some of the research. There was a request for circles and planters, speed bumps, etc. What the Board had been reviewing was to see what occurred with the traffic calming that occurred at the west end of Eastern where it tied into Market Street to see how that controlled traffic. Additional counts will be done and recommendations made.

**BOWMAN** Mr. Bowman asked whether vehicles are permitted on grass lawns with For Sale signs on them. He commented on a location near Elmwood Boulevard which always seemed to have an auto for sale in the yard.

**BISHOP** Mr. Bishop responded that the location is in Spring Garden Township.

**BOWMAN** Mr. Bowman added that he just wanted to be sure that Springettsbury Township had an ordinance in force for this issue.

**SCHENCK** Chairman Schenck indicated that an ordinance is in force which states that vehicles must be parked on a driveway, not on the grass. A For Sale sign does not exempt that.

**HOLMAN** Mr. Holman indicated that he and Mr. Baugh will be going out on the 10<sup>th</sup> to inspect properties and investigate complaints, etc.

**GURRERI** Mr. Gurreri reported that on Memorial Day a resident of Kingston Road left a voice mail message for Mr. Gurreri, who then stopped by his house. The resident was complaining about people speeding and the police were never there. About that time the policeman showed up and stopped a motorist.

**SCHENCK** Chairman Schenck reported that he had received a number of complaints about sight distance at Stonewood and Old Orchard from people in that neighborhood. There are shrubs, etc. blocking the view to the east. This had been reviewed in the past. Both are state roads. The Township had been advised that the sight triangle was fine; however, Mr. Schenck found that difficult to believe. He asked how that could be checked.

**HOLMAN** Mr. Holman indicated he and Mr. Baugh would include that on their road trip.

**SCHENCK** Chairman Schenck asked for an update on the Dog Park. He had not heard anything for a long time.

**HOLMAN** Mr. Holman indicated that an architectural rendering and design had been completed. He planned the budgeting for next year. He will request that David Wendel provide a short presentation at the next meeting on an update of the Dog Park.

**8. SOLICITOR'S REPORT:**

**RAUSCH** In addition to his written report, he was seeking formal approval from the Board to proceed to re-apply to the PUC for railroad crossing at Concord Road, to acquire the necessary easements and rights-of-way to accomplish that.

**MR. BISHOP MOVED FOR APPROVAL TO PROCEED WITH RE-APPLICATION TO THE PUC FOR THE RAILROAD CROSSING AT CONCORD ROAD TO ACQUIRE THE NECESSARY EASEMENTS AND RIGHTS-OF-WAY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**9. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated he had provided a supplemental report with two items. He requested authorization to reject bids for the Police Firing Range as they were over budget. The bids had been budgeted for \$15,000; bids came in at \$41,000 and \$37,000.

**MR. BOWMAN MOVED FOR AUTHORIZATION TO REJECT BIDS FOR THE POLICE FIRING RANGE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman requested that the Board authorize transferring some Liquid Fuels funds to the capital account, which had been budgeted. The funds need to be moved from the old Liquid Fuels to the new Liquid Fuels. Under the policy established by the Board, Resolution 04-64 will be necessary. This will amend the budget to \$50,000 to purchase equipment by authorizing the movement of funds from prior year Liquid Fuels to current year Liquid Fuels. The Township is allowed to use 20% for capital in compliance with Liquid Fuels rules and regulations.

**MR. GURRERI MOVED TO AUTHORIZE THE MOVEMENT OF FUNDS FROM PRIOR YEAR LIQUID FUELS TO CURRENT YEAR LIQUID FUELS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that the Board was invited to a Grand Opening of the York County Judicial Center, which will be held on October 2, 2004 at 1:30 p.m. In addition, the Board was invited to a Public Hearing on the EMA 911 Proposed Consolidation. The meeting will be held in the Auditorium of the Central York Middle School on September 28, 2004. Mr. Holman added that he had several items for discussion during the Executive Session.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS.**

There were no Ordinances, Resolutions and Agreements for discussion.

**12. ACTION ON MINUTES:**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JULY 22, 2004 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 9, 2004  
APPROVED**

**HOLMAN** Mr. Holman asked if there were any specific places that the Board would like Mr. Baugh and him to visit during their road tour, to please let them know. They had several citizen complaints to address.

**BISHOP** Mr. Bishop commented that he thought there were excessive temporary signs he noted in the Township. He did not think they were authorized under the ordinance.

**BAUGH** Mr. Baugh commented that the Zoning Hearing Board had requested the Planning Commission revisit and update the sign ordinance because of the number of variances they had been receiving. The temporary signs situation is something the Planning Commission will be reviewing.

**BISHOP** Mr. Bishop indicated that the signs he reported are enforceable under the current ordinance.

**SCHENCK** Chairman Schenck commented on a billboard-type sign mounted on the bed of a pickup truck that he had seen. The sign hangs out the back of the truck and is a full LED Jumbo sign that lights up in colors. The signs are mobile and temporary, but are unbelievably creative and strategically placed.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
COMPREHENSIVE PLAN**

**SEPTEMBER 9, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Comprehensive Plan review on Thursday, September 9, 2004 at 6:30 p.m. The purpose of the review was to hear from Kise, Straw and Kolodner regarding the Comprehensive Plan.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer, First Capital Engineering  
James Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:30 p.m. He stated that the purpose of the meeting was to review the Comprehensive Plan from Kise, Straw & Kolodner.

**KISE** Mr. Jim Kise, Principal of the firm, Kise, Straw & Kolodner thanked the Planning Commission for their recommendation of the firm to the Board of Supervisors.

**HULL** Marian Hull, Planning Director and Project Manager, introduced herself.

**JASKIEWICZ** Frank Jaskiewicz, Transportation Director, introduced himself.

**KISE** Mr. Kise provided an overview of Kise, Straw & Kolodner through a Power Point slide presentation, which included their background, activity and experience.

**HULL** Ms. Hull spoke about their proposed approach to Springettsbury's Comprehensive Plan update, which included their observations of growth and land use.

**JASKIEWICZ** Mr. Jaskiewicz provided information concerning transportation and community facilities, water and sewer, new schools, quality of life.

**SPRINGETTSBURY TOWNSHIP  
COMPREHENSIVE PLAN**

**SEPTEMBER 9, 2004  
APPROVED**

**SCHENCK**

Chairman Schenck thanked them for a great job. The Township looked forward to the process. He adjourned the meeting at 7:02 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 26, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 26, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Teri Markley, Grants and Public Relations/Events Specialist  
Dave Eshbach, Chief, Police Department  
David Wendel, Director, Parks & Recreation Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:15 p.m. He welcomed the attendees. He apologized for the late start, and asked Mr. Bishop to lead the Opening Ceremony.

**A. Opening Ceremony**

**BISHOP** Mr. Bishop led the Pledge of Allegiance.

**B. Presentation by Susquehanna Radio**

**SCHENCK** Chairman Schenck stated that representatives from Susquehanna Radio had come to make a presentation.

**DELANCEY** Rick DeLancey and Tina Heim, representatives of Susquehanna Radio, presented Springettsbury Township with a check in the amount of \$18,775 as a result of the media sponsorship contract during the summer concert series. The funds will go towards underwriting the concert series.

**SCHENCK** Chairman Schenck commented that he thought it had been a trail-blazing partnership. He thanked Mr. Bishop for his direction. Susquehanna Radio had done an excellent job. The Township wanted to have a lot of people at the concerts, and the promotion had accomplished that.

**HEIM** Mrs. Heim, Acting General Manager, spoke on behalf of all three radio stations. She stated that they had been happy to support the event and appreciated the opportunity. In addition, the children and grandchildren had been enjoying a very nice park.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that the reason for the late start was due to a 6 p.m. Executive Session to discuss the tentative union contract with the paid firemen. He added that an additional Executive Session would be held after the Regular meeting to discuss personnel matters and other legal issues.

**3. COMMUNICATION FROM CITIZENS:**

**MCCARTHY** Mr. Joe McCarthy, 2640 Kingston Road, commented on the matters concerning the trash contract. His comments included:

- Bills for photographs of trash – now rescinded.
- Hopewell Township problems with Penn Waste.
- Trash bags uncollected because resident was over the bag limit.
- Requested Penn Waste to provide Township with weight of trash picked up over last 6 months.
- Late fee penalty.
- Large item pickup.

Mr. McCarthy requested that the Board would give some thought to the trash contract renewal.

**SCHENCK** Chairman Schenck clarified that the fee for photographs had been eliminated. He added that the late fee is levied per the terms of the Township contract.

**MARKLIN** Mrs. Julia Marklin, 104 Carriage Hill Lane, commented on the Park Side Townhouses. Her comments included:

- Previously Section 8 housing and grounds well kept.
- New ownership - grounds now unkept; grass growing on sidewalks.
- Trees hanging down over walkways.
- Eddie O. is attempting to contact owner, no response to date.

- Intersection Pleasant Valley and Long Drive, sight distance hampered by vegetation, along with speeding and traffic.
- High grass around air conditioning units.
- Cats – Springettsbury is the only township that does nothing about cats.
- Pedestrians crossing near townhouses – Lighting requested for that area for safety after concerts, etc.

She stated that they pay their taxes and feel that the matter should be addressed by the Board.

**SCHENCK**

Chairman Schenck asked that Mr. Baugh would keep a record of all her comments. He stated that she was correct in that the Township has no ordinances for cats. The Township staff will focus on the problems. Chairman Schenck indicated that a crosswalk and a street light she referenced near Long Drive would be appropriate.

**HOLMAN**

Mr. Holman stated that he would go out with Mr. Baugh for a tour and review the matter.

**GRIEST**

Mr. Bob Griest, 410 Meridian Lane, addressed the Board in support of his neighbor regarding the trash contract. His comments included:

- Fee comparison with other townships.
- He spends 5-1/2 months in Florida but still pays for garbage pickup. Upon arrival back home, he had an extra two bags that were not picked up. Should be some give and take.
- Tubs left in the street.

Mr. Griest also commented concerning speeding on Kingston Road. His concerns were children running into the street in front of speeders:

- Police Department speed trap with three pursuit cars only there slightly less than one hour and made only two arrests. Suggested hours for speed traps: 4 p.m. to 7 p.m. and 7 a.m. to 9 a.m.
- Residents speak to the Board; some action takes place, then is forgotten.
- New development of homes on Young's Hill brings more traffic.

**GREENAWALT**

Mr. William Greenawalt, 2540 Schoolhouse Lane, provided additional comments regarding the trash contract. His comments and complaints included:

- Charge for his home-owned dumpster.
- Copy of the contract charge \$3.10; shouldn't be charged to citizens. Letter to Manager requested a refund.
- Response from Manager indicated Mr. Greenawalt was negotiating with the contractor; not so.

- Wondered whether anyone actually read the contract.
- Portion of the ordinance read regarding type of container.
- Conceded that his toter does not have required handles.
- Lack of response from Township to his requests.

**SCHENCK** Chairman Schenck stated that Mr. Gurreri could not be present this evening due to an urgent family issue.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that the Eden Road Interceptor project rights-of-way have been reviewed and approved by the Harley corporate office and Kinsley. The last remaining issue is the James Meadows property subdivision approval. The BNR Study is underway with preliminary sizing. Mr. Schober attended the PMAA conference and learned that DEP has issued a draft policy on nitrogen removal. They are targeting some of the larger plants, which could include Springettsbury, with limits of about eight milligrams per liter for total nitrogen, which dove-tails well with the BNR Study. It's a draft policy which will go through a lot of readings and comment periods from all the groups, but it's the first time it is being put in writing, which is significant.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that his written report related to many of the action items on the Agenda. With regard to the James Meadows right-of-way, the Planning Commission had approved the plan. Signal plans for Sheridan Road are underway, and survey work is nearly completed. PennDot planned an overlay of Mundis Mill Road as part of all the road improvements. More information will be forthcoming in order to tie improvements in to the Sheridan/Mundis Mill signal plans along with maintenance and overlay. Regarding a controversial sliver of land prohibiting access to the condominium project, Staff reviewed plans and the intent was for that road to go through with a cul-de-sac. No formal action by this Board is necessary. The rest of the roads are private.

**HOLMAN** Mr. Holman commented that with the extra sliver, that will bring the Township into conformance with the current ordinances.

**LUCIANI** Mr. Luciani responded that he was correct. He added that a waiver was necessary for the cul-de-sac length due to having only one way in and out of that development. That waiver would not have been necessary if the sliver of land had been available at the time the plan went through. The detour plan for Central High School was shown on the Agenda for action.

There are some changes, and Tom Smith of Buchart-Horn was scheduled to provide a Power Point presentation showing an overview.

**HOLMAN**

Mr. Holman indicated that he needed the Board's approval to send a letter to PennDot indicating that the Board had reviewed it and concurred with the details.

**SMITH**

Tom Smith, Buchart-Horn provided a Power Point presentation showing the history on the traffic control plan related to the Sherman Street project in conjunction with the construction of the new Central High School. The plan included Mundis Mill, Sherman Street, and Mt. Zion Road intersection improvements. Initially for traffic control and maintenance of traffic during construction, two phases were planned. The first phase was to be doing some of the work away from the existing roadways. The second phase will include a traffic control plan. Because of the short duration of the first phase, and having motorists going back and forth between the construction areas crossing Sherman Street, which would have been hazardous, they recommended to proceed with a straight detour for the entire length of construction. He showed the detour plan with the site @ Mt. Zion Road/Sherman Street, Treatment Plant, Pleasureville and Mundis Mill Road coming out of Emigsville. Two separate detour plans were shown, the first for automobiles using Druck Valley Road, Sherman Street, Church Street, Sheridan Road, Mundis Mill and also Mundis Race back out to Sherman Street. The other part is a truck detour which uses Route 30 out Blackridge Road down through Grim, Locust and on to Mundis Mill or Emig as it's called in Manchester. An additional plan for the amount of signs was proposed, which had doubled the signage based on two PennDot reviews within the last two months. The additional signage will capture all the roadways which intersect with Mr. Zion/Sherman and the construction area. There will be some variable message boards on Route 30 to assist in directing truck traffic around the area.

**SCHENCK**

Chairman Schenck asked about the estimated time period that the plan would be in place.

**SMITH**

Mr. Smith responded that it would be in place four to five months, from about April to August. They will coordinate with the school district and the local buses during school until the end of the school year. He added that Central maintains nearly all the bus service to the schools in the area and it should be easily coordinated.

**SCHENCK**

Chairman Schenck asked about the potential for effective enforcement for keeping trucks off the local detour. He asked who would pay for that and whether it would be a Township problem.

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**ESHBACH** Chief Eshbach responded that it is a Township problem. If trucks go into areas where they're not supposed to be, an officer must be there to observe it. The Police Department does not anticipate having someone sit there for four or five months, 24 hours a day. He reported that there had been no effort to date to pay for police services in that area to monitor or to direct traffic. Conditions must be watched closely. It is not a situation where traffic can flow freely through there.

**SCHENCK** Chairman Schenck expressed hope that the motorists who travel through there will learn a new route and avoid the detour.

**HOLMAN** Mr. Holman stated that the detour road had first been presented about eight months ago. This revision had been forwarded to the Directors, Chief Eshbach, Charlie Lauer and the Fire Department. He had reviewed it with Mr. Luciani and there had been concerns regarding the need for more signs as there were several areas where there was nothing to notify people there were detours ahead.

**SMITH** Mr. Smith indicated there would be an updated set of plans showing the additional signs provided to the Board members.

**SCHENCK** Chairman Schenck indicated that the item appeared later on the Agenda. However, they were looking for a consensus of the Board indicating the plan had been reviewed and the Board concurred as the best option short of closing the roads. It does its best to keep the trucks off the back roads and main roads. There will be some work for the police department. The Township will be working and watching this closely with PennDot. Manchester Township does not have any problems with it.

**Consensus of the Board was to move forward and send a letter to PennDot indicating the plan had been reviewed with the Board's concurrence that it is the best option available.**

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of August 26, 2004**
- B. T-A-H Construction, Inc. – Bar Screen & Septage Receiving Station – Payment No. 4 in the amount of \$104,108.40**
- C. Kinsley Construction, Inc. – Eden Road Relocation Project – Progress Billing #1 in the amount of \$81,218.30**

**DVORYAK** Mr. Dvoryak asked about an item showing payment scheduled for Lehman Volvo that's labeled pre-paid fee release.

**LUCIANI** Mr. Luciani responded that Lehman Volvo had filed a development plan, withdrew the plan and had to pay an escrow fee. They had not moved through the entire process.

**MR. BISHOP MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS 5A, B, AND C AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Permission to Advertise for Bids for Purchase of Bio-solids Spreader.**

**MR. BISHOP MOVED TO GRANT PERMISSION TO ADVERTISE FOR BIDS TO PURCHASE A BIOSOLIDS SPREADER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Permission to Refurbish Public Works Dump Truck at a total cost of \$32,585.33.**

**HOLMAN** Mr. Holman commented that the Harrisburg Area Cooperative Purchasing Program will be utilized; however, since the item was over the \$25,000 limit Board approval was needed. The amount was budgeted.

**MR. DVORYAK MOVED TO GRANT PERMISSION TO REFURBISH THE PUBLIC WORKS DUMP TRUCK AT A TOTAL COST OF \$32,585.33. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Memorandum of Understanding to Provide Stormwater Education and Training to Municipal Employees and the Public – Watershed Alliance of York (WAY).**

**HOLMAN** Mr. Holman stated that there would be no cost to the Township; training will be provided as to what a watershed is and how it will impact other areas.

**BISHOP** Mr. Bishop asked whether the Watershed Alliance was a County-sponsored organization.

**HOLMAN** Mr. Holman responded that he was correct. He indicated he would be interested in learning more about the watershed.

**MR. BISHOP MOVED TO AUTHORIZE THE APPROPRIATE PEOPLE TO EXECUTE THE MEMORANDUM OF UNDERSTANDING TO PROVIDE STORMWATER EDUCATION AND TRAINING WITH THE WATERSHED ALLIANCE OF YORK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-03-11 – Gary Wesner Time Extension to 10/31/04**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR PLAN SD-03-11 TO OCTOBER 31, 2004. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-04-03 – Concord Properties – Action (9/15/04)**

**BAUGH**

Mr. Baugh provided background information in his memorandum of August 19, 2004. He explained that the current use is a professional office and will remain the same. The tract included a 16,900 square foot renovated “bank barn” and site infrastructure. The proposed plan included construction of 5,370 square foot two-story addition with total parking spaces at time of construction of 104. The applicant requested a delay of construction of 111 total parking spaces until the spaces would be needed in concurrence with the revised parking ordinance. Control of storm water runoff is proposed by a subsurface storage system. The applicant requested certain waivers, which the Planning Commission had approved several waivers and denied several as well. Several conditions were approved, and staff recommended both approval of waivers and modifications, and denial of several waivers as well.

**SCHENCK**

Chairman Schenck asked the Board to review the traffic study issue first.

**BIEBER**

Tim Bieber, NuTec Design, appeared on behalf of Concord Properties. He indicated that the Board had reviewed a three-story addition proposed in 2003. At the time of that submission and approval, they had requested a waiver of a traffic study based on the fact that the increase in traffic associated with the operations would be minimal, which at the time was roughly 60 employees for maximum occupancy. With the volume of traffic on Concord Road affecting the primary intersection at Concord and Mt. Zion, it was considered minimal and wouldn’t warrant a study which had been thoroughly studied before. As they moved forward to obtaining building approval, the elevator variance request had not passed. It had been necessary to regroup to see if the project could work financially. The plan was downsized to a two-story addition with the building footprint area roughly the same; however, instead of adding to the south of the barn, they plan to add to the east end. The new plan is two-third the size of the old plan, with two-thirds of the amount of employees, so it would be less of a traffic impact now than proposed in 2003. They maintain their impression that the amount of traffic should not be significant or warrant a traffic study.

**SCHENCK**

Chairman Schenck asked Mr. Baugh what benefit an additional traffic study would provide.

**BAUGH**

Mr. Baugh responded that every time a traffic study is completed it provides information to update previous studies. A significant difference

between the previous study and a current study would be the County plan for the 911 Center, which would impact the area.

**LUCIANI** Mr. Luciani indicated that traffic could be a greater impact with the 911 Center. Additional development could take place directly across Concord Road. With a 5,000 square foot addition, it could have an impact of 140 additional trips. This could necessitate additional signal timing at Concord Road, which could be negotiated with the developer. The Planning Commission recommended that a fee in lieu of or a traffic study be done.

**SCHENCK** Chairman Schenck indicated that the County planned to do a traffic study for their project. That data could be included.

**LUCIANI** Mr. Luciani stated that the ordinance would require NuTec to do traffic counts on Concord Road. A review would be done of the Mt. Zion Road intersection. With the addition of 140 trips it would determine a safe level of service.

**SCHENCK** Chairman Schenck asked whether there could be an opportunity, because of what is proposed in that area, to look at the projects on a larger scale as far as traffic would be concerned. He was concerned about having multiple traffic studies unless all the data would be useful and what the advantages would be.

**LUCIANI** Mr. Luciani commented that the Township policy would be to either do the traffic study or obtain a fee in lieu of, which is negotiated ahead of time. The ordinance requires each developer to do a traffic study.

**HOLMAN** Mr. Holman indicated that Mr. Baugh had attempted to negotiate a fee in lieu of so that those funds could be used to do a closer review.

**BAUGH** Mr. Baugh responded that the applicant had informed the Township that he was not interested in pursuing that.

**BIEBER** Mr. Bieber commented that if their building were occupied, it would be based on the count data obtained. However, if they were under construction or in an interim period, the background traffic would be counted.

**SCHENCK** Chairman Schenck commented that it seemed selfish to count on someone else's traffic study to solve a problem. He liked the fee in lieu of idea because it would provide funds for a traffic study that would benefit everybody.

**BIEBER** Mr. Bieber responded that he could only express his client's concern regarding the finances. He had been unable to complete the three-story addition and was trying to do something else with a unique structure.

**BISHOP** Mr. Bishop added that, in addition to being a unique facility, it adds a certain air of distinctiveness to what would otherwise be a very boring, highly visible industrial park. He agreed with the consideration of the developer's position in this particular situation, but when the previous difficulty with Township ordinances are factored in, it resulted in a very tough situation.

**MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS GRANT THE REQUESTED WAIVER, SECTION 309F, SUBMITTAL OF TRAFFIC STUDY. MR. DVORYAK WAS SECOND.**

**SCHENCK** Chairman Schenck commented that he supported the motion but with a message to Nutec to suggest they consider some contribution to understand the bigger picture of that traffic.

**MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked for some clarification about the sidewalk.

**BAUGH** Mr. Baugh provided a Power Point presentation showing the existing sidewalk along Concord Road. The Planning Commission recommended sidewalk in certain areas. Mr. Baugh stated that the developer was not in favor of a six-month note on the plan.

**BIEBER** Mr. Bieber commented that there was sidewalk along Concord Road. The ordinance required that all streets, both public or private, be built to public standards which would include sidewalks. Their contention is that there is no through traffic or pedestrian traffic in that area, nor do they want to encourage that. The Planning Commission suggested to provide sidewalk access to mass transit.

**BISHOP** Mr. Bishop asked whether there were approved plans for development on the outside of the circle.

**BAUGH** Mr. Baugh responded that there were, but they do not include sidewalk.

**SCHENCK** Chairman Schenck added that there was to be a walking trail throughout the development that was scrapped when the post office indicated they would build to federal specifications. Chairman Schenck was in favor of the connecting sidewalk on Concord to their facility. He was not sure about looping it all the way around on the property, but it's important if

anyone wants to walk to work or walk to the post office from the building that they can do that whole trip and at least do it on a sidewalk.

**BIEBER** Mr. Bieber responded that in their situation, there had been difficulties since the lot was developed. One area would require a retaining wall. On a smaller project like this, there would be a larger financial impact. A stormwater system just for the sidewalk alone would be larger than for the building itself.

**MR. BISHOP MOVED THAT THE BOARD OF SUPERVISORS DENY THE REQUEST FOR A WAIVER FOR SIDEWALKS. MR. BOWMAN WAS SECOND.**

**SCHENCK** Chairman Schenck stated for clarification that the net affect of the motion would be that the developer would have to put sidewalks the whole way around the area.

**BIEBER** Mr. Bieber stated, in that case, they would have to table the plan.

**MOTION CARRIED 3/1. MESSRS. BISHOP, BOWMAN AND DVORYAK VOTED YES. MR. SCHENCK VOTED NO.**

**SCHENCK** Chairman Schenck asked about the time frame for the project.

**BAUGH** Mr. Baugh responded that the timetable is good until September 15, 2004. The next Board of Supervisors meeting will be September 9, 2004.

**SCHENCK** Chairman Schenck asked whether it would be necessary to officially table the plan.

**RAUSCH** Solicitor Rausch indicated they still have time.

**BIEBER** Mr. Bieber indicated he did not want any action to be taken on the plan at this time.

**BISHOP** Mr. Bishop asked at what point the Board would be into a deemed approval situation.

**BIEBER** Mr. Bieber responded that he would offer an extension of an additional 60 days.

**SCHENCK** Chairman Schenck stated that action could be taken during the next meeting.

**C. SD-04-08 – M&G Realty Subdivision – Action (10/13/04)**

**BAUGH** Mr. Baugh presented background information in his August 19, 2004 memorandum. He explained that the property is located in the Commercial-Highway District and currently consists of a three-story office and bank building, a convenience store with gas pumps and a vacant restaurant. The applicant proposed to consolidate Parcel 1B and 1R into one lot in order to clean up the site by consolidating the lot. Planning Commission approved the subdivision with a waiver and several conditions which had since been met and staff recommended approval with waiver and modification.

**SCHENCK** Chairman Schenck stated that at this point it was just moving a property line.

**MR. DVORYAK MOVED WITH REFERENCE TO SD-04-08 TO GRANT A WAIVER OF SECTION 304, SUBMISSION OF PRELIMINARY PLAN;  
AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING SEAL AND SIGNATURE OF THE ENGINEER AND SURVEYOR PRIOR TO THE FINAL PLAN APPROVAL;**
- **PROVIDING OWNER'S NOTARIZED SIGNATURE PRIOR TO FINAL PLAN APPROVAL.**

**MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. LD-04-02 - Commerce Bank – Action**

**BAUGH** Mr. Baugh explained that the Country Cupboard will be replaced with the Commerce Bank building. He thanked the Commerce Bank personnel for working with them and cooperating with them to design a building which is more attractive than their other banks and fits in better in the area with the red brick. The applicant had requested certain waivers. Planning Commission had recommended the plan with several conditions, most of which had been resolved. Staff recommended approval with waivers and conditions.

**SCHENCK** Chairman Schenck asked about information he read concerning a car wash bay.

**BAUGH** Mr. Baugh responded that would be in a future plan which is going through the process.

**LUCIANI** Mr. Luciani explained that they are doing a separate plan due to the sewage capacity.

**BAUGH** Mr. Baugh stated that the car wash was removed in order not to delay the bank planning.

**BISHOP** Mr. Bishop asked about their contribution to traffic safety.

**LUCIANI** Mr. Luciani stated that they did a traffic study and evaluated the flow on Whiteford Road. One of the Township concerns was motorists turning left up the driveway; they visualized a pork chop in that area. A review was made regarding the stop bars, increasing site distance, tightening up the intersection at Whiteford and Mt. Zion for greater safety.

**BAUGH** Mr. Baugh added that instead of the pork chop, they designed a boomerang.

**BOWMAN** Mr. Bowman commented that motorists would then be able to turn left from Whiteford Road.

**LUCIANI** Mr. Luciani indicated he was correct.

**BISHOP** Mr. Bishop noted that when a motorist would be coming out, they would not be able to make a left turn.

**LUCIANI** Mr. Luciani added that motorists wanting to reach Route 30 or go south on Mt. Zion, will turn left and go to the entrance that lines up with Borders, or to the entrance at Mt. Zion and turn right and go south.

**BISHOP** Mr. Bishop asked about motorists wanting to go north on Mt. Zion.

**SCHENCK** Chairman Schenck stated that they would have to go the back way through the Galleria to the light. He asked whether the typical citizen would understand and whether there should be some signage to show those movements.

**LUCIANI** Mr. Luciani stated the issues involved the gas pumps, drive through for the bank, and the office building nearby.

**SCHENCK** Chairman Schenck suggested to stripe the parking lot to direct traffic.

**MR. BISHOP MOVED FOR APPROVAL OF LD-04-02, COMMERCE BANK, LAND DEVELOPMENT PLAN WITH THE FOLLOWING WAIVERS AND CONDITIONS:**

- **GRANT A WAIVER OF SECTION 304, SUBMISSION OF PRELIMINARY PLAN;**
- **GRANT A MODIFICATION OF SECTION 411, BUFFER YARDS, AS SHOWN ON THE PLAN,**

**AND WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING SEAL AND SIGNATURE OF THE ENGINEER AND SURVEYOR PRIOR TO FINAL PLAN APPROVAL;**
- **PROVIDING OWNER'S NOTARIZED SIGNATURE PRIOR TO THAT FINAL PLAN APPROVAL.**

- **CONDITIONED ON THE DEVELOPER CONTRIBUTING A FEE OF \$5,000 TO IMPROVE TRAFFIC SAFETY IN THE VICINITY OF THE INTERSECTION OF MT. ZION AND WHITEFORD ROAD PRIOR TO PLAN RECORDING AND**
  - **PROVIDE FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**
- MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. SD-02-16 – Gerard Builders – Action**

**BAUGH**

Mr. Baugh provided background information in his August 19, 2004 memorandum. The purpose of the plan is to subdivide a 6.75 acre tract of land into two parcels. The original tract of land is in Springettsbury, Windsor and Hellam Townships. The plan will require review and approval from all three municipalities. It had been previously presented as a five-lot subdivision, but due to sewage restraints it had been reduced to two lots. The Planning Commission recommended approval of the plan with waivers, as well as several comments, most of which had been addressed. Staff recommended approval of the plan with several waivers and modifications. However, a condition of granting the modification should be accompanied by a six-month note on the plan to install those items. Staff recommended approval of the plan with several conditions.

**REYMEYER**

Jeff Rehmeyer II, Attorney, CJA, represented Gerard Builders. Attorney Rehmeyer and Dave Hoffman had been working with the plan. They asked the Board to review the ordinance option and waive the sidewalks. He commented on the sidewalk issue:

- Lot was downsized from five parcels to two because of sewage restraints.
- Waiver requested under ordinance section 4082C as there are no sidewalks within 600 ft.
- No churches, playgrounds or public facilities within the required range.
- Lots have a lot of road frontage and the parcel is at a unique spot in three townships at one time.
- No sidewalks in the vicinity.
- Sidewalks may be more of a burden than benefit to anybody, particularly the property owners in terms of short and long-term maintenance.
- When crossing over into the nearby municipalities there are no sidewalks.

**SCHENCK**

Chairman Schenck clarified whether they were asking for a standard six-month note on the sidewalks.

**BAUGH**

Mr. Baugh stated that if the waiver was granted, they would still want the six-month note.

**HOFFMAN** Mr. Hoffman stated that both dwellings will be located in Springettsbury Township.

**SCHENCK** Chairman Schenck commented that he liked the comfort he gets with the six-month note.

**MR. BISHOP MOVED IN THE CASE OF SD-02-16, GERARD BUILDERS, LLC TO GRANT:**

- **WAIVER FROM PRELIMINARY PLAN;**
- **WAIVER TO SHOW ALL EXISTING STREETS ON, ADJACENT TO, OR WITHIN 400 FEET OF ANY PART OF THE TRACT;**
- **WAIVER FOR STREET LIGHTS.**

**AND TO GRANT:**

- **MODIFICATION IN THE FORM OF A SIX-MONTH NOTE FOR CURBS AND GUTTERS AND WIDENING OF ADJACENT ROADWAYS AND SIDEWALKS;**

**AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING OWNER'S NOTARIZED SIGNATURE PRIOR TO FINAL PLAN APPROVAL;**
- **RECEIVING THE SEWAGE PLANNING MODULE;**
- **APPROVAL OF WINDSOR TOWNSHIP;**
- **RECEIVING FINANCIAL SECURITY FOR CORNER MONUMENTS.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**DVORYAK** Mr. Dvoryak reported that he had received a letter from Representative Gillespie asking for the Supervisors' input for suggested road improvements in Springettsbury Township that he needed to submit to PennDot.

**HOLMAN** Mr. Holman indicated he would follow up as his office has the road improvement priority list as set by the Board.

**9. SOLICITORS REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report. He requested an Executive Session to discuss the PUC/Concord Road project, as well as several litigation matters.

**SCHENCK** Chairman Schenck announced that an Executive Session would be held after the meeting.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he would like to discuss several personnel matters during the Executive Session following the meeting. He reported that the Comprehensive Plan Board interviewed the semi-finalists and recommended two. The session will be held September 1 at 5:30 p.m. The meeting had been advertised and a presentation will be made. Following that, the Planning Commission will recommend the contract and a presentation will be made to the Board of Supervisors. He thanked the AdHoc Committee.

**BISHOP** Mr. Bishop stated that there was definitely a distinctive choice between the two applicants and should be very interesting.

**HOLMAN** Mr. Holman stated that it had been a good process.

**SCHENCK** Chairman Schenck commented that Mr. Holman mentioned the community map in his report.

**HOLMAN** Mr. Holman responded that it was not something he was looking for any action on during this meeting.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-58 – Authorizing First Addendum to 200-2004 Residential Garbage and Recycling Contract.**

**DIANGELO** Ron DiAngelo, Recycling Committee, stated that he disagreed with the gentleman who previously spoke against the garbage situation. He stated that the object was to reduce the amount of trash placed in the waste stream, not increase it. By doing so it will help the performance grants. He had discussed critical issues with Scott Wagner, Penn Waste relating to picking up extra trash. He wished his people would just leave it sit at the curb. If it is not tagged, it won't be picked up. The tag simply means that those people are willing to pay to put out that extra trash. Mr. DiAngelo indicated he was in agreement with the contract and hoped the Board approved it. The Recycling Committee had reviewed it and all members are in favor of it.

**HOLMAN** Mr. Holman clarified the increase in the waste. The one bulk item a week pickup actually is an increase of \$1.25. The rest of that increase of \$2.70 is the requirement for an extra truck or recycling truck to pick up the brush. It is a requirement and to clarify a question, flowers are considered brush.

**BOWMAN** Mr. Bowman stated that it needed to be specific. It seemed like the garbage company had not listed it. He thought it just said branches.

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**HOLMAN** Mr. Holman stated that it would be listed in the ordinance for defining brush. The Township ordinance will need to be revised to meet the new DEP regulations. DEP had offered to reimburse the Township for the cost of amending the ordinance because it is a requirement of the state. He added that it excluded grass and weeds; however, they did check with the contractor and other agencies, and flowers are considered brush. They do not have the same chemicals as grass.

**MARKLEY** Teri Markley provided a sample of a vinyl type 8-1/2 by 11 sticker that each homeowner will be able to put on. The Township will provide them to the homeowner at no cost, delivered in a package, which may be placed on either side of the container and easily identified for pickup.

**BISHOP** Mr. Bishop stated that the actual addendum indicates that the yard waste will be placed in a biodegradable Kraft or other paper bag.

**HOLMAN** Mr. Holman stated that one could use a grocery store paper bag.

**SCHENCK** Chairman Schenck asked about his dog food bag.

**HOLMAN** Mr. Holman responded that dog food bags have plastic in them. He offered to be specific in the ordinance about the paper bag.

**WAGNER** Mr. Wagner of Penn Waste provided a sample of a large bio-degradable Kraft bag.

**GREENAWALT** Mr. Greenawalt indicated he was concerned about the recycling of waste and did not realize this item was in the addendum.

**HOLMAN** Mr. Holman stated that it had been defined in more detail what the packages would be.

**GREENAWALT** Mr. Greenawalt asked whether the increases that were proposed are the same and whether the cost had been included the last time.

**HOLMAN** Mr. Holman responded that he was correct. He added that the action taken would not take affect until January 1 of 2005.

**MR. BOWMAN MOVED FOR APPROVAL OF RESOLUTION 04-58 AUTHORIZING FIRST ADDENDUM TO 2002-2004 RESIDENTIAL GARBAGE AND RECYCLING CONTRACT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated that Mr. Gurreri had telephoned him early during the day. He wanted to make sure that Mr. Schenck mentioned that he really wanted to be here for this vote.

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**SCHENCK** Chairman Schenck suggested stickers for residents being out of town for four and five months at a time. He asked whether a way could be figured out to give some value to the services being paid for and then not be utilizing them. He added that he would be in favor of tag a bag.

**BISHOP** Mr. Bishop indicated that perhaps Mr. DiAngelo would have some suggestions.

**SCHENCK** Chairman Schenck stated that there could be an extreme measure that if it's three bags a week, a resident would get three bags a week worth of tags and that's that. In his personal situation he pays for three but rarely puts three out for collection. There are times when he wanted to put four out. He admitted it was somewhat frustrating to know that you pay for three every week but don't utilize the service. For people who go out of town there must be some way to build some value. Nothing could be done about it at this time.

**HOLMAN** Mr. Holman responded that the situation was similar in the shore communities. The service is still provided. A portion of what the resident pays is for the disposal of the trash. That would be factored in when the job is bid out by the contractor. Mr. Holman indicated he would have to review how much trash actually was sent to the disposal in each year.

**BISHOP** Mr. Bishop commented that what he was hearing was to provide for some mechanism for consideration of those residents who spend time away from York.

**SCHENCK** Chairman Schenck stated that the ultimate answer would be pay per throw.

**GRIEST** Mr. Griest objected to paying for five and a half months when he is away. He paid the bill. He commented on his career in sales. His frustration was in the fact that, following his return, he had two small extra bags, which the drivers didn't pick up.

**BISHOP** Mr. Bishop stated that he would have to understand that the Township has a contract with Penn Waste. The contractor has every right possible to hold the Township to its end of the contract, and the Township has every right to hold Penn Waste to its end of the contract.

**GRIEST** Mr. Griest suggested that it could be negotiated.

**BISHOP** Mr. Bishop responded that they had negotiated the contract. He stated that he would defend it as long as necessary. The contract is in place now, and the Township is not in a position to just wink and ignore specific points.

**WAGNER** Scott Wagner, Penn Waste, commented on the following points:

- His service goes by the homes regardless of whether anyone is home; the homeowner has a right to put the trash out for pickup.
- Since the contract was bid in December, 2001, the price of diesel fuel had gone up to a 10-year high; insurance had gone up 300%.
- His company bills the residents. The Board could elect to put the charge into property taxes.
- Residents have a choice of one bag or three bag service or a toter.
- The trash is taken to York County Resource Recovery at \$56.00 a ton, or 2.8 cents/pound.
- Residents are offended by the pictures; Mr. Wagner is offended he has to take pictures; cost to the resident has been eliminated.
- The business will be transacted by the contract.
- Springettsbury Township is mandated to pick up yard waste; other townships are not.
- Recycling bins delivered to residents. Participation increased 20%.
- Doing the best job possible.
- Suggest residents with concerns join the Recycling Committee and get more involved.

**BISHOP**

Mr. Bishop noted his own personal dislike concerning having extra trash and having to buy a tag. However, he had come to accept the fact that it is the only way to administer the contract. There were many good reasons to make the changes, and the contract is a good contract.

**B. Resolution No. 04-62 – Sewage Planning Module A3-67957-364-3S – Mike Mulcahy, 3461 Glades Road – 400 GPD**

**BAUGH**

Mr. Baugh indicated that item B is for a Small Flow Treatment Facility with stream discharge to serve an existing dwelling on a 0.629 acre lot along Lower Glades Road. The facility will be owned, operated and maintained by the applicant. This is being created because the site is unsuitable for a sand mound and is not practical to run sewage to the location.

**MR. DVORYAK MOVED FOR APPROVAL OF THE MIKE MULCAHY SMALL FLOW WASTEWATER TREATMENT FACILITY SEWAGE PLANNING MODULE FOR AN INDIVIDUAL LOT CONDITIONED UPON:**

- **SIGNING AND RECORDING OF AN AGREEMENT BETWEEN THE APPLICANT AND SPRINGETTSBURY TOWNSHIP REGARDING THE OPERATION AND MAINTENANCE OF THE FACILITY.**
- **ISSUANCE OF AN ON-LOT SEWAGE PERMIT APPROVED BY THE SPRINGETTSBURY TOWNSHIP SEWAGE ENFORCEMENT OFFICER;**
- **INSPECTION AND APPROVAL ALL PHASES OF INSTALLATION OF THE FACILITY BY THE SPRINGETTSBURY TOWNSHIP SEWAGE ENFORCEMENT OFFICER.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-63 – Accepting the Offer of Dedication for Public Use Certain Streets within the Greystone Development**

**BAUGH** Mr. Baugh stated that the only item for action is the portion of Greystone within Springettsbury Township. There is one consideration: the cul-de-sac in English Way needs some work done to slope it properly. The developer advised he would have that completed by the end of next week.

**LUCIANI** Mr. Luciani indicated that PennDot must have the liquid fuels report updated by September 1, which needed Board action.

**HOLMAN** Mr. Holman added that the contractor had agreed to complete all minor changes necessary.

**SCHENCK** Chairman Schenck asked when the Resolution would be effective.

**RAUSCH** Solicitor Rausch responded that it would take effect when the conditions are met.

**HOLMAN** Mr. Holman added that the Resolution would not be signed until the contractor had completed all the requirements.

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 04-63 ACCEPTING DEDICATION OF CERTAIN STREETS WITHIN GREYSTONE DEVELOPMENT CONTINGENT UPON DEVELOPER COMPLETING HIS AGREED-UPON RENOVATIONS TO THOSE STREETS TO BRING THEM UP TO TOWNSHIP SPECIFICATIONS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – July 22, 2004**

**SCHENCK** Chairman Schenck reported that Mr. Gurreri had requested that, because he had some suggested corrections to make in the minutes, particularly with regard to the trash contract discussion, whether action could be held on the minutes.

**BISHOP** Mr. Bishop indicated there would be no problem holding action. He requested that new copies would be placed in their packet for the next meeting.

**HOLMAN** Mr. Holman responded that amended copies would be provided with highlighted changes.

Consensus of the Board was to hold action regarding the June 22, 2004 minutes.

**13. OLD BUSINESS:**

**A. Central York Road Improvements Detour Plan**

**SCHENCK** Chairman Schenck noted that item A had been reviewed earlier during the meeting.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of July 31, 2004 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE JULY 31, 2004 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Draft Ordinance Adopting More Stringent Requirements Under the Uniform Construction Code as Enacted as the Building Code for Springettsbury Township.**

**HOLMAN** Mr. Holman stated that item B was brought before the Board with a request for authorization to advertise the ordinance change to what amounted to the UCC, which took out a number of the normal permits, which would not fit the community, such as hunting camps, etc.

**BISHOP** Mr. Bishop asked whether a Public Hearing could be scheduled, even if it were approved, as an opportunity for the Board to be briefed and then schedule action on it but not for the same night as the Hearing.

**HOLMAN** Mr. Holman agreed to arrange a Public Hearing. Approval would permit the staff to submit this to Labor and Industry and get the process moving. The County-wide Appeals Board still exists.

**MR. BISHOP MOVED TO AUTHORIZE STAFF TO ADVERTISE THE ORDINANCE ADOPTING MORE STRINGENT REQUIREMENTS OF THE UNIFORM CONSTRUCTION CODE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

Consensus of the Board was that a Public Hearing would not be held until a response was received from L&I.

**C. Draft Ordinance for Amending Parade/Assembly Ordinance**

**HOLMAN** Mr. Holman stated that item C had been placed on hold. A copy of the draft ordinance was provided; however, more work/corrections are needed.

**D. Joint Fire Services Project – Appointment of Board Representatives**

**HOLMAN** Mr. Holman reported that this covered the appointment of a representative to the Joint Fire Services Project between Springettsbury Township and Spring Garden Township. The request is that Mr. Schenck be appointed as the primary representative on the Board and Mr. Bishop appointed as the alternate.

**MR. BOWMAN MOVED TO APPOINT WILLIAM SCHENCK AND DON BISHOP TO SERVE AS REPRESENTATIVES TO THE JOINT FIRE SERVICES PROJECT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. U-Turn Sign Request from PennDOT for Eden Road**

**HOLMAN** Mr. Holman stated that at the end of Eden Road some problems had surfaced with motorists doing U-turns. He received a commentary from Chief Eshbach stating that an ordinance would be necessary for enforcement. The item was provided for the Board's information and not for a decision at this time.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:45 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 22, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 22, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Hyon Duk Shin, Acting Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Chief  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Bill Schenck called the meeting to order at 7 p.m. and welcomed the attendees. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri stated that it was nice to see so many residents in attendance, as the Board is always interested in their comments. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held just prior to the Regular Meeting. The topics discussed were fire and police labor contracts and some legal aspects surrounding the Hunters Crossing project.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck invited the residents to speak about any concerns, comments or compliments.

**2660 Durham Road**

A number of residents whose properties surround a property at 2660 Durham Road came forward to voice complaints about the condition of said property. Below is a summary of their comments.

- Six foot tall weeds have not been cleared.
- Groundhogs, skunks and resident critters on the property, aggressive toward neighborhood children; potential for rabies.
- Infestation of bees.
- Telephone calls to the Township to which there was no response.
- Snow which was not cleared; children need to walk on the road to their school bus.
- Trees cut down and logs not removed; bulldozed piles, no silt nets, environmental and safety issues, unkempt land.
- Length of time for a Building Permit to be issued by the Township.
- Care for a property in a nice neighborhood.
- Property values dropping because of this situation.

The Township's response is summarized below:

- The Township is aware of the situation and delivered a formal notice to the owner to clean up the property within a week. Following that a private criminal complaint will be filed with the District Justice.
- Property Maintenance Code allows grass up to 10 inches tall.
- Township Manager and staff have visited the property; will visit again, especially the back of the site. Photographs have been and will be taken of the property.
- Unshoveled snow will be dealt with promptly upon notification to Mr. Baugh or Mr. Holman.
- Telephone calls unanswered were discussed.
- Property owner had submitted an application which did not meet Zoning requirements and was rejected. It was re-submitted in May, 2004, but failed again to get necessary storm water management completed. Upon completion of storm water issues, a Building Permit was issued. No construction start date had been indicated. Zoning Ordinance and state-wide Building Code will be enforced. Construction quality must meet all requirements. Permit is good for one year with the possibility for two, six-month extensions at extra costs (first 50% of the original fee; second 25%). With possession of a Building Permit, items like erosion control can be enforced.

**Fake Property - Pool Water Drainage**

**FAKE**

Mrs. FloAnn Fake commented on an issue concerning a neighboring property which has a swimming pool. Pool water is being dumped onto the back yard of the Fake property. She asked whether a notation could be placed in the newsletter advising the residents that it is not legal to dump pool water in that manner.

She had been previously advised that a hose can be placed to drain into the street drain.

**FAKE** Mr. Glenn Fake added that they had to place extra dirt in their yard because of the pool water drainage. They had asked the neighbor to re-route the hose another way, and he moved it two feet, which did not correct the problem.

**GURRERI** Mr. Gurreri asked whether they had notified the Township at that time.

**FAKE** Mr. Fake responded that he had and was advised that it was not unlawful for him to put the hose out in the street. He understood that the property owner had received many fines for various issues.

**HOLMAN** Mr. Holman stated that he would review the requirements and contact her with an answer.

**Telephone Call Log**

**BISHOP** Mr. Bishop asked Mr. Holman whether any system was in place to log calls/complaints in a systematic way.

**HOLMAN** Mr. Holman responded that he has a log of anything that comes to his office, as does Mr. Baugh.

**BISHOP** Mr. Bishop asked how officials would be notified if calls come in to the receptionist.

**HOLMAN** Mr. Holman responded that the receptionist transfers calls or emails messages to either Dori Bowders or his office. No actual log is made of every telephone call.

**BAUGH** Mr. Baugh added that the Township has the ability to enforce the law. Ed Sowers provides a written report of his work.

**SCHENCK** Chairman Schenck asked whether the written form is an internal report or filled out by the people who file complaints.

**BAUGH** Mr. Baugh responded that a report is needed for filing complaints, which also provides a written description of the complaint.

**BISHOP** Mr. Bishop asked whether anonymous complaints are accepted.

**BAUGH** Mr. Baugh responded that complaints can be filed anonymously and can be filed by email as well through the Township website.

**SCHENCK** Chairman Schenck stated that the Board appreciated the residents coming to the meeting, and indicated they had heard the issues clearly. He indicated there was probably some work to be done as far as the matter of not returning phone calls. He was assured that the inspection of 2660 Durham Road will take place next week.

**Garbage Situation**

**GURRERI** Mr. Gurreri asked Mr. Greenewalt to speak about a problem he had with the garbage company concerning his toter. When a resident owns a toter, they are charged \$15.00, and Mr. Greenewalt stated that was not in the contract.

**HOLMAN** Mr. Holman indicated he asked Solicitor Rausch to review the issue in the contract and a response will be discussed later during the meeting.

**SCHENCK** Chairman Schenck could not recall that the contract stated anything at all about a \$15.00 charge to use a personal toter. He stated that the contract indicated the resident should use the supplied toter, which applies to the use and ability of the mechanical equipment.

**HOLMAN** Mr. Holman commented that the contract states if the toter is not a supplied toter, the contractor does not have to pick it up if it weighs more than a certain weight or is over a certain size.

**GREENEWALT** Mr. Greenewalt stated that he had obtained a copy of the contract in order to determine the size of the container. The contract states that an acceptable container could be 64 gallons, which is the size of his toter and which is smaller than the contractors. He felt that his toter conforms to the contract. He objected to the \$15.00 charge he has to pay for his own toter. He asked for a review, as well as the Township expecting the contractor to live up to the contract.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SHIN** Hyon Duk Shin reported in Mr. Schober's absence. Mr. Shin referred the Board to the progress report of July 13<sup>th</sup>. There was nothing to add to the Solids Dewatering report. Regarding the Eden Road Interceptor project, the realignment of the interceptor away from contaminated soil on the Harley property requires that the Township tie into the Codorus Creek Interceptor at a different

location. The new location will require construction of a new manhole, and details have been reviewed by staff. A progress meeting was held concerning the Bar Screen and Septage Receiving project, which is well ahead of schedule. All equipment has been delivered, and new building panels are expected to be delivered later in July. An application for payment was submitted. There was nothing to add to the Grant Administration, the BNR Study, or the Risk Management Plan. The Township is arranging a meeting with residents to review the results of the Barwood Road Sewer Study. The Board was provided copies of the study.

**SCHENCK** Chairman Schenck indicated the Eden Road project sounded like more money would be involved. He asked what the amount would be and how it would be paid. He stated that it was a question and not a hold point.

**HOLMAN** Mr. Holman responded that, upon Mr. Schober's return, he would review the billing. He will be scheduling a meeting with residents concerning the Barwood project. They are completing the financial costs and will review how that will be paid.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani provided several updates to his written report. A significant amount of drainage work is being done on Eastern Boulevard and final paving is nearly completed. He and Mr. Holman met with Mr. Yanover concerning their property near Central High School. In addition, concerning the Safe Route to Schools Program, Gwen Loose of the Rail Trail Project had provided a letter of endorsement to the Township. They felt that in discussions and promotion of having a pedestrian connect, that these projects would tie into and benefit one another.

**HOLMAN** Mr. Holman stated that the letter of support had been received and the grant should be submitted July 23, 2004.

**LUCIANI** Mr. Luciani reported that a meeting was held with York County MPO. They are continuing to work on additional municipal projects, signal work, drainage projects. A parking proposal will be submitted later during the Manager's Report.

**SCHENCK** Chairman Schenck commented on a large shopping mall he had observed in another community, which had islands and curbing but in the far out parking area were islands and curbing but it was loose stone. He thought the idea was intriguing and would add to

Mr. Bishop's recent comments about alternative parking surfaces which are used only once or twice a year.

**LUCIANI** Mr. Luciani commented on the changes to the Zoning Ordinance concerning alternative paving styles. The Township has an intensity factory requiring developers to bond those parking lots. The technology is in transition. Mr. Baugh is trying to compile information which he believed could be specified and an acceptable alternative.

**GURRERI** Mr. Gurreri asked about the result of the speed bumps on Philadelphia Street.

**LUCIANI** Mr. Luciani responded that they had been installed and there had been no complaints.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of July 22, 2004**
- B. T-A-H Construction, Inc. – Application for Payment No. 3 – Bar Screen and Septage Receiving Station in the amount of \$68,068.74**
- C. Johnston Construction Company – Application for Payment No. 17 – Solids Handling Project in the amount of \$8,572.**

**MR. GURRERI MOVED FOR APPROVAL OF ACCOUNTS PAYABLE A, B, AND C. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Springettsbury Township Park Phase II Bids (recommend rejection of bids).**

**SCHENCK** Chairman Schenck commented on item A regarding the Springettsbury Township Park Phase I Bids, which received a recommendation to reject.

**HOLMAN** Mr. Holman requested a recommendation to reject the bid along with a recommendation to authorize staff to re-bid for a completion date in May. This will provide an opportunity to secure additional funding, as well as enable a contractor more time. Only one bid had been received, which was over the budgeted number. A number of electrical bids were received within the budget; however, there will be a need to re-bid the entire project.

**SCHENCK** Chairman Schenck asked whether the May timeline would be consistent with their work schedule as far as the type of work that has to be done.

**HOLMAN** Mr. Holman stated that it would be May or June. He planned to meet with Mr. Mears to complete a plan. A realistic completion date will be provided in order to work a portion of time prior to hard winter setting in and then starting up again. It really only is a 60-day project based on the weather. More time might encourage more site bidders and a better price on the project.

**GURRERI** Mr. Gurreri asked whether anything would be removed from the contract if it is re-bid.

**HOLMAN** Mr. Holman responded that nothing would be removed. He will review alternate funding sources. The project will be spread over the next budget year.

**MR. BISHOP MOVED TO REJECT ALL BIDS AND AUTHORIZE THE STAFF TO DRAFT NEW BIDS AND ADVERTISE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Change Order No. 1 – Eden Road Project: Award of Alternate No. 5 for Geosynthetic Clay Liners to Kinsley Construction for an amount not to exceed \$34,324.**

**HOLMAN** Mr. Holman stated that Harley Davidson requested to be included in Bid Alternate No. 5, which was with Geosynthetic Clay Liners. In his supplemental report he stated that the Board had received the paperwork from Harley so that an invoice can be generated. They have committed to pay funds for this Change Order as this is a Harley request. The contractor has confirmed that he will hold that price, so the Change Order is a non-cost to the Township. Harley will be paying this invoice. It was recommended by their environmental engineers.

**MR. DVORYAK MOVED TO APPROVE CHANGE ORDER NO. 1, AWARD OF ALTERNATE NO. 5 FOR THE GEOSYNTHETIC CLAY LINERS IN AN AMOUNT NOT TO EXCEED \$34,324. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Cleveland Brothers Equipment Co. – 30 KW Generator in the amount of \$15,590 (recommend award of bid)**

**SPRINGETTSBURY TOWNSHIP  
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APPROVED**

**SCHENCK** Chairman Schenck commented on item C, which related to a new generator for the pump station near Cor Box, which has no backup generator.

**HOLMAN** Mr. Holman responded that he was correct. The bid came in under what was anticipated. There are some additional expenses with this, such as the pad and other things that must be done, but it is still under the anticipated costs.

**MR. GURRERI MOVED TO AWARD THE BID TO CLEVELAND BROTHERS EQUIPMENT COMPANY FOR A 30 KW GENERATOR IN THE AMOUNT OF \$15,590. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-04-01 – Motter Residential Time Extension to 9/30/04**
- B. SD-04-02 – Sheridan Manor Phase 2 Time Extension to 9/30/04**
- C. SD-04-03 – Sheridan Manor Phase 3 Time Extension to 9/30/04**
- D. SD-03-11 – Gary Wesner Subdivision Time Extension to 9/30/04**
- E. LD-04-02 – Commerce Bank Time Extension to 8/31/04**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSIONS FOR ITEMS 7A THROUGH 7E ON OUR AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. SD-04-05 – DIA Hellam – Action (9/15/04)**

**BAUGH** Mr. Baugh had provided background information in his July 14, 2004 memorandum. The land is presently vacant land comprising of 13.76 acres in both Hellam and Springettsbury Township. Lot 1 is located partially in Springettsbury Township and partially in Hellam. The applicant proposes to subdivide Lot 3 for use by J & G Industries. Lot 3 is entirely within the boundary of Hellam Township. The applicant requested a waiver of providing a preliminary plan and at their June meeting the Planning Commission recommended such a waiver. Review has also revealed that the applicant should apply for waivers of curbs, gutters and sidewalks, landscaping and buffer yards and trees. Because the plan is partially in Springettsbury Township and partially in Hellam with no development proposed in Springettsbury at this time, Planning Commission recommended that instead of waivers being granted, the applicant place a note on the plan stating that those sections would be addressed at the time of land development on that portion of the plan in Springettsbury

Township. Staff recommended approval of the plan with several waivers and conditions.

**SCHENCK** Chairman Schenck asked whether there was any consistency in the zoning between Springettsbury and Hellam for these properties.

**BAUGH** Mr. Baugh responded that the zoning is close with different categories. In Springettsbury it's an industrial zone; in Hellam it's a commercial industrial zone.

**SCHENCK** Chairman Schenck asked whether he could foresee any difficulty if they chose to develop that as commercial in Hellam.

**BAUGH** Mr. Baugh responded that if the lot came in on a combined basis, the portion in Hellam would be developed in accordance with their ordinance, and the portion in Springettsbury would be developed in accordance with our ordinance.

**HOLMAN** Mr. Holman asked whether that was a reason for the buffer zone.

**BAUGH** Mr. Baugh responded that he was correct. In addition, the Township will be embarking on the Comprehensive Plan. There is no way to know when the plan for the Lot 3 will begin, nor will there be a way to know what the zoning will be.

**BISHOP** Mr. Bishop asked whether the note for the curbs and sidewalks had been reviewed by the Solicitor.

**BAUGH** Mr. Baugh responded that Stacy MacNeal attended the Planning Commission meetings where the subject had been discussed.

**RAUSCH** Solicitor Rausch stated he had no problem with it.

**LEPENSKY** David Lepensky with James R. Holley & Associates stated that they had revised the plan, which had not been officially submitted to add the note for the curbs and sidewalks, etc. The only thing that they objected to in the recommended motion was to plant the landscape buffer at this time. He stated that the property only will be a subdivision of land with no proposed development. The note will require, when Lot 1 is developed in Springettsbury Township, for the screening, curbs, gutters, sidewalks, landscaping, buffering, street lights to be put in.

**MR. BISHOP MOVED WITH RESPECT TO 04-05, DIA HELLAM  
SUBDIVISION PLAN, THAT THE BOARD OF SUPERVISORS GRANT THE**

**WAIVER FOR SECTION 304 PRELIMINARY PLAN AND APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING OWNER’S NOTARIZED SIGNATURE AND SEAL AND SIGNATURE OF THE ENGINEER AND SURVEYOR;**
- **MONUMENTS BEING SET OR BONDED AT THE INTERSECTION OF THE PROPERTY BOUNDARIES WITH CONCRETE A MINIMUM SIZE OF 6 INCHES BY 6 INCHES IN PLAN DIMENSION AND 30 INCHES IN DEPTH;**
- **THE SITE ADHERING TO THE LANDSCAPING AND BUFFER YARDS AND BEING BONDED AND REMOVING THE NOTE FROM THE PLAN REGARDING SECTION 411;**
- **REMOVING THE SIX MONTH NOTE REGARDING SECTION 408, SIDEWALKS AND**
- **ADDING A NOTE TO THE PLAN THAT WILL READ, “CURBS AND GUTTERS, SECTION 407, SIDEWALKS, SECTION 408, LANDSCAPING AND BUFFER YARDS, SECTION 411 AND STREET LIGHTS, SECTION 412 SHALL BE INSTALLED AT THE TIME THE PORTION OF LOT 1 WHICH IS IN THE BOUNDARY OF SPRINGETTSBURY TOWNSHIP IS DEVELOPED.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop reported that plans for Saturday in the Park are moving along rapidly and successfully. We have made a significant extension of that program with the addition of a 303 Basketball Tournament, which had already achieved significant sponsorship levels and will be a great event, as well as a financial success. There are brochures available for anyone who wants to sign up.

**BISHOP** Mr. Bishop noticed some construction activity in the area of the proposed dental office at Mill Street and Eastern Boulevard. He asked about the status.

**BAUGH** Mr. Baugh responded that the most recent information he had was that they had decided not to pursue the project. They have removed their foundation walls.

**BISHOP** Mr. Bishop asked whether they would be required to return the property to its previous state.

**BAUGH** Mr. Baugh stated that their permit year had been completed. They would have to obtain another permit to proceed. There will be some property maintenance; however, bonding is in place for storm water, etc.

**GURRERI** Mr. Gurreri indicated he was disappointed that the project had not gone forward. They felt that the Township had not worked with them.

**BAUGH** Mr. Baugh reported that their plan had been approved last July with a concrete block wall. They changed it to a prefabricated wall, which is a superior wall. Then they wanted to make some other changes to the building, which weren't included in the plan. It took them until six or eight weeks ago to get an engineer to seal the wall. Once they got that wall completed, they intended to proceed but two or three weeks later, they decided to back off.

**BISHOP** Mr. Bishop commented that they had a completely approved plan and then they changed their mind about what they wanted the plan to look like after it was approved.

**GURRERI** Mr. Gurreri reported that he had been attending the summer concerts, which had been very good. He commended Dave Wendel for a great job.

**GURRERI** Mr. Gurreri reported that Dave Eckman had been elected President of the Firefighters Association of Pennsylvania, which is a great honor.

**GURRERI** Mr. Gurreri stated he was glad to see the roadwork in the Township being completed.

**SCHENCK** Chairman Schenck stated that the Volunteer Fire Company Board Paid On Call Proposal will be addressed during the Manager's Report. He reported that there was a recent fire in the Township in the Yorklyn area, and it was a structure fire. The debrief of that was that the incident went extremely well and the way it should as far as staffing and operationally. On the flip side there was not a single volunteer fireman there. The fire had been handled very well by our mutual aid agreements with the other municipalities so there was no problem fighting the fire and controlling the damage; however, there were no volunteers present, nor did any of the paid firemen choose to come in on call, which is part of their contract. This reiterates Mr. Schenck's ongoing concern with the direction of the Volunteer Fire Company.

**SCHENCK** Chairman Schenck reported he had received a telephone call from a resident concerning the concerts. She loved the concerts but she had three general concerns: (1) how cancellation decisions are

handled; (2) availability of handicapped parking and (3) the lack of a personal touch from the Township.

**BISHOP**

Mr. Bishop agreed and indicated that David Wendel's wonderful voice should be back on the stage. It doesn't come off as a Springettsbury Township event as much as it has in the past. He also agreed on the amount of handicapped spaces as well. I'm certain there aren't enough; not sure that there ever can be enough.

**SCHENCK**

Chairman Schenck added that her comment was that with the number of wheelchairs that can be accommodated in that area, there are not the comparable parking spaces; no problem in the amphitheater area.

**SCHENCK**

Chairman Schenck stated that the partnership with the radio station had been tremendous and worked out extremely well. He was particularly pleased to read in the newspaper the number of people from other municipalities who attended the concerts.

**HOLMAN**

Mr. Holman indicated it had been an outstanding contract and the hope is that the partnership continues well into next year. Any funds that come in over and above the cost of the concerts go right back into renovations to the park, which is a big plus.

**GURRERI**

Mr. Gurreri reported that he received a report from Pfizer indicating that 43 million Americans are uninsured in this country. Working families making less than \$45,000 can save an average of 35% from Pfizer. Pfizer is expanding an existing program to provide free medicine to families making under \$31,000 that are uninsured. He thought it might be something for the newsletter.

**9. SOLICITOR'S REPORT:**

**RAUSCH**

Solicitor Rausch stated that he had nothing further to add to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN**

Mr. Holman had provided a written report, as well as a supplemental report which included some issues needing to be addressed. One additional issue is that he will place the Durham Road property on his report to update the Board, which will remain until the problem is resolved. On the Barwood Road Sewer Study, a copy of that was included in his report. A meeting will be held with the residents regarding costs, etc. and how they will be

allocated over a number of years. The Gravity Feed Program option would appear to be the best option.

**GURRERI**

Mr. Gurreri asked about the status.

**HOLMAN**

Mr. Holman responded that the residents requested the Township to review the options. We authorized Buchart-Horn to complete a study. They worked with him, Ed Sowers, Mark Hodgkinson and Jim Baugh. The study was completed, resulting in a very good estimate of what the costs would be to run the sewer line. If that were done it would take a number of septic systems off line which were, at this point, approaching replacement. The cost of replacing a septic system with a sand mound is high whereas if a sewer line could be installed, the sewer line would normally be paid for by the property owners which it serves. The Township maintains it after it's installed.

**GURRERI**

Mr. Gurreri stated that he was really glad to see that something is moving forward. He had heard discussion about the issue by the Board over six years.

**HOLMAN**

Mr. Holman indicated that the report was done and a meeting will be held with the residents shortly.

**HOLMAN**

Mr. Holman stated that several other issues were presented on his supplemental report. One issue related to the Paid On Call program delivered by Chairman Schenck to Mr. Holman. He had some concerns with that program because it is supposed to be a volunteer force. If a Paid On Call program were set up, he wondered how it would tie into the part time employment rules and regulations that have come in on vacation and holidays. I have that under review. He asked the personnel attorney to review it, but his first comments related to whether the Township would be setting up part time positions or permanent part time positions. He also wanted to review programs that had been done in the past. His initial reaction is not to take any action until he has a complete report.

**SCHENCK**

Chairman Schenck commented that the Volunteer Fire Company Board of Directors was instructed by this Board essentially to come up with a Volunteer Incentive Program, understanding that the Township funds that program. It had been a line item in the budget for many years. The Volunteer Fire Company Board set up a committee to draft such a program, which they did. That's what has been put before the Board, which must approve a plan because the Township is funding it. Chairman Schenck indicated he had

some concerns about the draft, which basically says anything they do they get paid \$10.00 an hour, which he did not consider to be a Volunteer Incentive Program, but it's what was presented by the Fire Company Board for review by the Township. He believed the Board was obligated to review it and give them a firm answer in writing of what is determined in order to keep that process moving. Chairman Schenck stated that the next Fire Company meeting is August 2<sup>nd</sup>.

**BISHOP**

Mr. Bishop stated that the Board of Supervisors provided a budget line item for Volunteer Incentive Program. This Board had always been very interested in doing whatever it could to encourage volunteerism. The program was ended, not because it was abused, but because it was not handled well and did virtually nothing to get volunteers. The proposed draft appeared to be a re-working of the same concept, which does not fulfill the objective of providing an incentive for volunteers.

**HOLMAN**

Mr. Holman stated he would provide a report as soon as possible to the Board.

**HOLMAN**

Mr. Holman stated that he received a letter from the County regarding possible location of the 911 system in Springettsbury Township near Davies Road or the County Annex area. This project was discussed later on the Agenda.

**SCHENCK**

Chairman Schenck added that the County has a time line issue in selecting a site for the 911 center. Their first meeting with the Township there was no resolution to the road improvements. I was asked to get some information as to where the Township would stand on these improvements. I think it's important for the Board to have a consensus of how to handle the matter.

**Municipal Building Parking**

**HOLMAN**

Mr. Holman indicated that Mr. Luciani prepared a presentation concerning the parking situation regarding the designated parking areas in the municipal parking lot and behind the police parking lot. There have been difficulties with parking, and he wished to take action on the plan based on the presentation.

**LUCIANI**

Mr. Luciani reported that Mr. Holman had contacted him in an effort to try to organize some of the parking spaces out front. They attempted to come up with a quick concept of how to accomplish some goals and objectives set out by staff. Mr. Luciani presented a Power Point presentation showing the plan.

- HOLMAN** Mr. Holman stated that Mr. Lauer has a striping company ready to go on this if a decision is made to move forward. Also some signage will be put into place. One thing that will be improved upon is the directional signs around the parking lot.
- LUCIANI** Mr. Luciani stated that the directional markings could be stenciled directly on the pavement. He explained the entire parking lot via the presentation following which he asked for comments from the Board.
- GURRERI** Mr. Gurreri asked whether there was a problem parking at night.
- HOLMAN** Mr. Holman responded that there are problems with the parking at night. Spots are reserved for staff in the back, but he felt it was necessary to provide for the staff so that they can do the work they are required to do. He indicated that stenciling would be the minimum to start. He was aware that the Police Department has significant parking issues.
- ESHBACH** Chief Eshbach indicated that simply painting the parking lot would not solve the problem. He suggested that cement based, movable signs be posted, "Police Parking Only" with movable signs. The problem escalates during the summer when the park is being used heavily and presents a problem when a prisoner is being brought in and there are no parking places.
- SCHENCK** Chairman Schenck asked whether he would propose signs that are essentially down the middle of the area back to back so that when a motorist pulled in they would look right at the sign.
- ESHBACH** Chief Eshbach responded that each sign could cover several spaces, "Police Parking Only."
- LUCIANI** Mr. Luciani suggested putting one sign in each four-car grid to allow vehicles to pull out and maneuver a little better as opposed to having a sign on center in every parking space, which he thought could be accommodated.
- SCHENCK** Chairman Schenck's concern was that a lot of money had been spent building a beautiful campus, and depending on the signage that are used and the tone of the signs it can really deter visitors. He would not want to create an environment where citizens are pulling in here and feeling rather unwelcome.

- HOLMAN** Mr. Holman indicated that realistically some spots could have visitor parking designated. He added that they would like to get the striping moving and then proceed with the signage.
- GURRERI** Mr. Gurreri suggested that when the road is open at Pleasant Valley, parking could be provided on the other side of the building for all the employees.
- LUCIANI** Mr. Luciani stated that the Township is attempting to reduce impervious areas; additionally in Phase II of the park there is some additional parking.
- HOLMAN** Mr. Holman indicated there would be another 50 spaces.
- BISHOP** Mr. Bishop commented on the directional signs and asked about the directional flow.
- LUCIANI** Mr. Luciani stated that the flow came off the original municipal building land development plan. The initial thought for the building was everybody going counter-clockwise around the building. The entrance could be posted "one way."
- BISHOP** Mr. Bishop stated that he was comfortable with the idea of doing the striping as a first step and then figure out what else could be done.
- HOLMAN** Mr. Holman indicated that the main goal is to make sure to secure parking not only for the public, but have parking for staff here during the day. Visitor parking could be stenciled for a few open spots.
- RAUSCH** Solicitor Rausch indicated that in order to enforce the parking, an ordinance would be needed.

**Consensus of the Board was to proceed with the stenciling and Mr. Holman will work with the Solicitor to prepare a proper ordinance.**

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

- A. Resolution No. 04-58 – Authorizing First Addendum to 2002 – 2004 Residential Garbage and Recycling Contract.**

**SCHENCK** Chairman Schenck introduced item A as an extension of the garbage contract with some revisions.

A lengthy discussion was held, a summary of which follows:

- Contract is to be extended from December 31, 2004 and terminates December 31, 2005; can be extended for three, one-year periods.
- Complaints received about the garbage contractor, taking photos and charging \$1.25 per photograph, charging \$15 for toters, using specific cans, returning garbage that was too heavy.
- Comparison of contracts with other townships, cities which do not match; some townships have a portion of their fees paid through taxes for disposal on top of their rates.
- Audits conducted by the contractor are required.
- Extra bags can be purchased, or exercise the option to go to a lower bag limit.
- Bulk pickup
- Township and contractor to live up to their end of the contract.
- Perception is all take and no give.
- Cardboard – To be bundled in newspaper sizes.
- Recycling Committee concerns: (1) frustrated that the inability to recycle corrugated material, (2) Recycling Committee unanimously approved of this extension to the contract and (3) they were especially pleased that the brush is now being additionally removed from the waste stream, which his contract also addresses,
- Yard waste and brush are to be picked up April through October.
- DEP Act 101 – must be picked up curbside
- Mechanics of handling yard waste; biodegradable bags.
- Notices will be sent out; flyers promoting yard waste pickup
- Large item collection includes such items as refrigerators, stoves, dishwashers, hot water heaters, washing machines, dryers, freezers, lawn mowers, windows, doors and similar household items, etc. Yard waste consists of trees, bush and brush trimmings, etc.

Comments by garbage contractor, Scott Wagner:

- Contract was bid with one 32 gallon container; in certain areas the residents are over the bag limits, which in that case are left; extra tags can be purchased at the Township or Rutters.
- Contractor has sent out flyers with information concerning allowable garbage.
- Photograph charge of \$1.25 will not be invoiced.
- 90% of the residents do a great job putting out the garbage; 10% abuse it.
- Large number of sheriff sales contribute to difficulties.
- Labor and gas cost issues
- CDL drivers difficult to get and keep.
- Tonnages are tracked in each municipality, very sophisticated.
- Toters purchased at Lowe's or Home Depot require special mechanism to handle.
- Each provided toter holds 96 gallons.
- Contracts being rebid have escalated up 25% to 50% price increases.
- Contracts similar to Springettsbury (3 bags, 1/week recycle; 1 large item) approach \$175.00 a year.
- Contractor looking at bringing in immigration individuals to do the work.

- GREENEWALT** Mr. Greenewalt asked that Mr. Wagner live up to what was in the contract and abide by its rules. His toter is 64 gallons, which the contract indicates is allowed.
- BISHOP** Mr. Bishop commented that because of the conversation held and reading what Penn Waste and Springettsbury Township are going to agree to, the language should be more specific and defined as to what the items are and in what type of container.
- GURRERI** Mr. Gurreri stated he was in favor of the extension but suggested it should be held for further review until the next meeting.
- SCHENCK** Chairman Schenck stated that the containers for yard waste need clarified. There is some time for further clarification.
- RAUSCH** Solicitor Rausch indicated that the yard waste issue should be addressed and defined.
- BISHOP** Mr. Bishop indicated that a specific container could be designated for yard waste.
- WAGNER** Mr. Wagner indicated that the Township could get grant money and buy the containers, one for every household, or do something like the city does and do a \$5.00 lease.
- SCHENCK** Chairman Schenck reported that the Recycling Committee was very thrilled about this yard waste issue. Perhaps they would have some input that could be valuable.
- HOLMAN** Mr. Holman commented that if a decision were made not to renew this contract, he would need time to generate the complete specifications. There is a time frame.

**Consensus was agreement to discuss the garbage contract extension again during the August, 2004 meeting.**

**B. Resolution 04-59 – Traffic Line Stripe Painting and Pavement Marking Cooperative Agreement.**

- HOLMAN** Mr. Holman stated that the contract that was put together on a joint basis with a number of our municipalities at a significant cost savings. If approved by the Board tonight, it should be conditioned upon a meeting with the bargaining unit. This is work that has been done with the bargaining unit, and they would need

to agree to allow the Township to go out and do it through contracting.

**MR. BISHOP MOVED TO ADOPT RESOLUTION 04-59, TRAFFIC LINE STRIPE PAINTING AND PAVEMENT MARKING COOPERATIVE AGREEMENT CONDITIONED UPON AGREEMENT BY OUR APPROPRIATE BARGAINING UNIT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 04-60 – Permit to Install and Operate Traffic Signal – Market Street Commons**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-60, PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNAL, MARKET STREET COMMONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Resolution No. 04-61 – Application for Land Use Planning and Technical Assistance Planning Grant to Fund the Comprehensive Plan**

**HOLMAN** Mr. Holman stated that item D is for the Comprehensive Plan, which requires a Resolution authorizing the application, which will be completed prior to the next Board meeting. The total grant being applied for is 50% of \$315,000.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 04-61, APPLICATION FOR LAND USE PLANNING AND TECHNICAL ASSISTANCE PLANNING GRANT TO FUND THE COMPREHENSIVE PLAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Public Hearing – June 24, 2004**

**MR. BISHOP MOVED FOR APPROVAL OF MINUTES OF THE JUNE 24, 2004 PUBLIC HEARING AS SUBMITTED. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

- B. Board of Supervisors Regular Meeting – June 24, 2004**

**MR. DVORYAK MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS MEETING MINUTES OF JUNE 24<sup>TH</sup> AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Barwood Road Sewer Study**

- HOLMAN** Mr. Holman reported that item A appeared under Old Business because the study was approved quite some time ago by the Board and was just received. He will be meeting with the residents and staff to review the costs.
- SCHENCK** Chairman Schenck commented that whenever public sewers have been added to areas, there were long discussions by this Board of how to pay for it.
- HOLMAN** Mr. Holman commented that when he did the review of an extension, the cost of the extension plus the sewer line is actually the homeowner's responsibility.
- SCHENCK** Chairman Schenck stated that was the general path but not 100% of the practice based on costs and different things. The Board wanted and needed to be involved.
- GURRERI** Mr. Gurreri stated that the residents want the sewer, but it will be costly. He asked how many residents want the sewer.
- HOLMAN** Mr. Holman responded that 75% want the sewer, but they don't know the cost. They're not unaware that this would be the funding source. Barwood is not really a candidate for grants or anything. The study can be presented with the costs so that they are aware of it. He added that their septic systems are beginning to fail.
- GURRERI** Mr. Gurreri asked how many houses were involved.
- HOLMAN** Mr. Holman responded that 17 or 18 would tie in.
- GURRERI** Mr. Gurreri asked how the money would be paid.
- HOLMAN** Mr. Holman responded that it would be an added assessment on the property over a period of time to pay it back and could be 10 to 20 years to pay it back.

**Consensus was that the Board of Supervisors will be involved in the project.**

**B. Approval of Mission Statement and Scope of Services for the Joint Fire Project**

- HOLMAN** Mr. Holman stated that the item had been approved by Spring Garden, then Spring Garden, as lead agency, will forward

Springettsbury's approval and theirs to the state. Springettsbury will move forward; they'll begin the consultant review of equipment, stations, people and do a technical review and then, as part of that process, Springettsbury will start the process of how to put together a joint service.

**MR. GURRERI MOVED TO APPROVE THE MISSION STATEMENT AND SCOPE OF SERVICES, JOINT FIRE PROJECT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of June 30, 2004 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE JUNE 30, 2004 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Approval of Revised Position Description for Emergency Medical Technician**

**HOLMAN**

Mr. Holman stated that item B had been approved by the bargaining unit membership. It does allow them to do some firefighting duties as necessary in emergencies. He thanked Mr. Stern for his hard work to get this moving.

**MR. GURRERI MOVED TO APPROVE THE REVISED POSITION DESCRIPTION FOR EMERGENCY MEDICAL TECHNICIANS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Permission to Stripe Designated Parking Areas in Municipal Parking Lots**

This item had been previously approved.

**County 911 Center**

**KLINEDINST**

Mr. John Klinedinst, County Engineer, and Vice President of C. S. Davidson presented information on the proposed 911 center. He stated that the proposal had previously included the Concord Road Prison, Youth Development Center, Nursing Home, Archives Annex, and Housing Authority. One of the plans the Board will have before them very shortly is the prison expansion. The Board had already approved the work release facility two years ago. That has been expanded to include food service and dietary, but that's not before ready for Board action. Mr. Klinedinst presented documentation for the 911 facility, which would include

approximately 100 people who move from the Annex Building into the new facility.

Discussion concerning the 911 facility and road improvements is summarized below:

- Davies Drive and existing road past the Road House restaurant.
- County would dedicate a right of way to connect the two roads and build the roadway.
- County would provide a traffic signal at the corner of Davies Drive; Davies Drive has a right of way leading from it to existing County road.
- Railroad is not on County property.
- County would do a traffic study at Concord and Mt. Zion; Mt. Zion and Market intersections and some other intersections as well.
- Estimated cost of railroad crossing and signal about \$600,000 to \$700,000.
- County is reaching out as a coop project with the Township because 911 benefits the Township.
- County would attempt to connect the road to entrance of the 911 facility.
- County would dedicate a 60-foot right of way for future road connection.
- Project 911 is under a lot of pressure from a lot of people to get done, so the site selection process must be done. Current philosophy is that if 911 has access up Davies to Concord they have an easy way out both ways.

**KLINEDINST** Mr. Klinedinst indicated this was the first proposal presented.

**HOLMAN** Mr. Holman stated he had asked for a concrete proposal for the Board to review.

**BISHOP** Mr. Bishop asked about the space that 911 will vacate.

**KLINEDINST** Mr. Klinedinst responded that it will not be occupied by new tenants but those in the annex will expand out to fill that space.

**KLINEDINST** Mr. Klinedinst requested that the Board authorize the staff to continue discussions about the actual improvements.

**SCHENCK** Chairman Schenck asked about the time line.

**KLINEDINST** Mr. Klinedinst responded that he hoped to have something more concrete, not definite, by the next meeting due to site selection.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 22, 2004  
APPROVED**

**BISHOP** Mr. Bishop commented that he thought the Board should be focused on how to connect the road back to Market Street. The railroad crossing is an issue, but perhaps a review of the longer range plan would make sense. He suggested to look beyond this project to see whether there are ways to work together to get the rest of it to happen too. Not to hold up the process, or not to say that this is all this Board will do and it ends here.

**KLINEDINST** Mr. Klinedinst thought that would be a reasonable approach. The railroad crossing could be a three month or a three-year deal, which there is no idea what that could entail and could kill the project all by itself.

**BISHOP** Mr. Bishop will indicated that an administrative judge that sticks to the job would be necessary.

**KLINEDINST** Mr. Klinedinst stated that he had been the County Engineer for 24 years and the intended master plan of connections had been known since then. He wondered whether this project should share the entire burden of that connection.

**BISHOP** Mr. Bishop indicated he thought the proposed plan was a good approach.

**SCHENCK** Chairman Schenck commented it was a good starting point and encouraged the two staffs to keep working at it.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 10:20 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 24, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 24, 2004 at 6:00 p.m. The purpose of the Public Hearing was for discussion of the Zoning Ordinance 04-09 - Parking Requirements.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
James Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6 p.m. He stated that the purpose of the meeting was to hear public comment regarding potential revisions to the parking ordinance.

**HOLMAN** Mr. Holman asked Erika Belen to provide a presentation for an explanation of the parking ordinance changes.

**BELEN** Mrs. Belen provided a Power Point presentation as an overview of the Planning Commission's goals and ideas around the parking ordinance. She noted the following five goals to establish external factors affecting a parking ordinance:

- Changing economy
- Changing business environment
- Stormwater management
- Revitalization of under-utilized sites within the Township
- Safety

She noted the establishment of three basic standards for a parking ordinance. This information was itemized in a memorandum by Mr. Baugh dated June 18, 2004.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 24, 2004  
APPROVED**

**SCHENCK** Chairman Schenck asked whether there were any comments from the public. Hearing none, he indicated the item appeared on the Agenda for action during the Regular meeting.

**HOLMAN** Mr. Holman commented on the excellent presentation made.

**SCHENCK** Chairman Schenck adjourned the meeting at 6:20 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 24, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 24, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
George Dvoryak

**NOT IN ATTENDANCE:** Mike Bowman, Secretary/Treasurer

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Chief  
Jack Hadge, Finance Officer  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:10 p.m. He explained that an Executive Session held earlier had extended later than expected and apologized for the late start. He asked Mr. Dvoryak to lead the Opening Ceremony.

**A. Opening Ceremony**

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**SCHENCK** Chairman Schenck commented on the room acoustics and asked anyone who was not able to hear to please let the Supervisors know during the meeting.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held just prior to the Regular Meeting regarding several topics of litigation, Pasch lawsuit, Myers lawsuit, and a discussion of a personnel issue.

**3. COMMUNICATION FROM CITIZENS:**

There were no citizen comments.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober provided two updates in addition to his June 15 report. The Eden Road Interceptor project is in the right-of-way stage, which included three rights-of-way, the James Meadow property, Harley-Davidson and the Kinsley property. All three entities have their right-of-way descriptions in hand and their responses are due to be returned. Mr. Schober hoped to have all those completed within a month in order to advertise the project. No problems are anticipated. Barwood Road Sewer Study – A complete draft had been completed and provided to the Township Staff for review. They expect to issue that shortly in its final form. Two options were reviewed, gravity and pumping. Gravity construction is cheaper, and long-term costs are cheaper.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated that he had provided a written report as of June 16<sup>th</sup>, as well as several handouts. In addition to his engineer's reports, a presentation will be made regarding Sheridan Road and pedestrian path movements near Central High School.

**SCHENCK** Chairman Schenck stated that he had received a call from the County regarding the 911 center and the possibility of the road connecting Concord to Davies Drive as part of the Food Lion development. He asked for an update on the Township's position.

**HOLMAN** Mr. Holman responded that one meeting had been held regarding the subject; however, nothing had been updated since then.

**LUCIANI** Mr. Luciani indicated they had contacted him during the discussions with the Township. Their proposed development was intense and included the 911 center; another prison expansion; a potential school for nursing students and based on that potential intensity that roadway and frontage would be warranted. If they were doing a 1,000 square foot addition on another building that might be off the table, but the other thing they had requested from the Township was the Township roadway construction standards for industrial roads. Mr. Luciani provided that to them. It is tying in with the master plan. The Township's desire is pretty clear to

provide an inter-connect between Market Street and Davies Drive and ultimately to Concord Road.

**HOLMAN** Mr. Holman added that an overall sketch plan/development plan is forthcoming for review.

**BISHOP** Mr. Bishop asked whether there was any indication of their consideration of the railroad.

**LUCIANI** Mr. Luciani responded that the discussion included the at-grade crossing.

**HOLMAN** Mr. Holman indicated a letter had been sent to the PUC requesting a response for the decision based on certain developments being proposed to the Township.

**LUCIANI** Mr. Luciani introduced Christina Wentz of First Capital Engineering, and Tom Austin of TRG, who helped with the concept plan. At the last meeting a discussion was held regarding the need for a signal. Also a report had been issued with a narrative explaining why the signal would be warranted at Sheridan and Mundis. Statistically the issue there is the fact that there are 200 left-turning movements and with the background growth on Mundis Mill because of the school it was necessary to look at this roadway and those movements. It's important to note that the detour of Sheridan Road has been approved by Manchester Township. That is going to be the detour when Central High School begins roadwork at the other end.

**WENTZ** Christina Wentz reported on the Mundis Mill and Sheridan Road Intersection Improvements. An overview included the reason for the needed improvements, what the present conditions are, and what is being proposed. The Power Point presentation included photographs of the current roadways and the following:

- Traffic signal is proposed at Mundis Mill/Sheridan Road.
- Turning lanes to facilitate and create safer traffic movements.
- Designated right turn northbound lane on Sheridan Road.
- Mundis Mill – Single shared left and through lanes westbound.
- Seven-foot shoulder for passing.
- Proposed two lanes eastbound toward CHS site, through and right-turn.

Project Schedule:

- July – Begin design.
- September – Complete the preliminary design and submit HOP.
- November – Revising HOP and complete final design.
- January – Advertise and bid project.
- February – Accept bid.
- March – Mobilizing the contractor.

- April – Detour will begin for Central High School improvement.
- May – Complete project.

Probable Construction Costs:

- Signal - \$100,000 including all appurtenances.
- Other Intersection Improvements – About \$125,000.
- Total - \$225,000.

**SCHENCK** Chairman Schenck asked for clarification of whether there would be an eastbound lane on Mundis Mills.

**LUCIANI** Mr. Luciani responded that there would be no eastbound lane. Going eastbound a motorist will be able to make a right-turn movement and go up Sheridan. There will be through movement on Mundis. He added that the schedule is aggressive; however, there should not be much delay with rights-of-way.

**SCHENCK** Chairman Schenck asked for explanation of the funding.

**HOLMAN** Mr. Holman responded that at this point the Township has \$25,000 in a legislative grant. That grant has been extended for a closing date to June, 2005. There is \$125,000 provided by the school as part of the agreement, which totals \$150,000. In addition there is \$80,000 for pedestrian improvements, which is a separate portion of that funding. Cost is estimated to be \$250,000 maximum.

**LUCIANI** Mr. Luciani stated he felt that \$250,000 was the absolute maximum. Some of the work could be done by Public Works, such as installing mast arms, etc. Milts Repair Service is under contract to do some of the signal work. Public Works would prefer not to do the roadway work, but rather put that portion out to bid.

**HOLMAN** Mr. Holman added that at this point there's \$150,000 that could be put towards the project in funding currently available if the Board approves. They would look for the other \$75,000, some in savings for mast arms are things already in place. There might be the possibility of using some funding from other capital projects done this year. Mr. Holman indicated he would prepare a budget plan for the Board should they desire to move forward with this project.

**SCHENCK** Chairman Schenck noted that the Township will invest funds in improving an intersection of two state roads as a result of unplanned development. That investment is a decision the Township will have to make.

**HOLMAN** Mr. Holman stated that they are looking at applying for an additional grant, which would provide some funds.

**LUCIANI** Mr. Luciani indicated that this discussion dovetailed into the next part of the presentation on the sidewalk program. With the high school development, the Board negotiated for traffic improvements. There was concern about pedestrian movements. Penn Dot and the Governor came up with a program to fund better pedestrian walkways for the school with a very tight window for the reimbursement costs. The Township would put the money up and the state reimburse that cost. The grant became available some time in late April. The applications are due August 1 to the Township Grants person. They claim that there is \$200 million in funds and up to \$1 million for project improvement.

**WENTZ** Ms. Wentz provided a Power Point presentation for the sidewalk inventory study for Central High School vicinity. This presentation discussed:

- Importance of providing pedestrian walkways.
- Review of the existing sidewalks in the area.
- Photos of the area where new sidewalks are proposed.
- Review of the details and funding.

Ms. Wentz reported that sufficient sidewalks will be needed for the Central High School facility to provide for adequate and safe access for the students. Estimated cost for funding - \$250,000. Safe Route to School grant is available with a submission deadline of July 31.

**HOLMAN** Mr. Holman commented that one of the conditions of this grant is if there is a school already under construction or a project already in progress. This is already in progress. It would not put a burden on our citizens and if Board approves, the staff would like to apply for these funds.

**SCHENCK** Chairman Schenck commented that when the school district did their presentation, they were asked if students from that neighborhood would be bused or not.

**LUCIANI** Mr. Luciani responded that their answer was yes, they will be bused from right across the street. There was some disbelief.

**GURRERI** Mr. Gurreri recalled that Mrs. Estep stated there no students would be walking.

**HOLMAN** Mr. Holman stated that the school had provided a letter in support of this grant.

**LUCIANI** Mr. Luciani added that discussions had been held with the York County MPO and an additional meeting will be held July 6, 2004. They are aware of the importance of this project and are expected to review it.

**SCHENCK** Chairman Schenck asked whether the \$80,000 that the school district committed to for pedestrian improvements could be used for pedestrian traffic light improvements at Sheridan Road.

**LUCIANI** Mr. Luciani thought that might be a good possibility.

**HOLMAN** Mr. Holman echoed his comment. He had not yet included that amount as they do have a match for a portion of that \$80,000 depending on how much comes in for this grant, which is a reimbursable grant.

**LUCIANI** Mr. Luciani commented that it is an 80/20 cost ratio.

**BISHOP** Mr. Bishop asked whether the plan for the light would take pedestrian crossing into account.

**LUCIANI** Mr. Luciani stated that any signal plan must have pedestrian facilities, with push buttons as a standard Penn Dot requirement, even if there are no sidewalks to it. He had discussed the signal plan with Tom Smith, the engineer from Buchart-Horn doing the signal plan for Central High School. The three signals, Mt. Zion and Sheridan, Sherman and Mundis, will be all inter-connected and linked. In that part of the area there will not be any sidewalk as part of the road project.

**HOLMAN** Mr. Holman requested a motion by the Board to authorize staff to proceed with the grant application.

**MR. GURRERI MOVED TO AUTHORIZE TOWNSHIP STAFF TO PROCEED WITH THE GRANT APPLICATION IN ORDER TO PROVIDE DOCUMENTATION TO THE MUNICIPAL PLANNING ORGANIZATION, ALONG WITH THE LETTER FROM THE BOARD OF EDUCATION, TO DO DUE DILIGENCE TOWARD THE GRANT AND PROVIDE FOR PEDESTRIAN SAFETY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman asked whether to move forward with the engineering studies and engineering work on the light at Mundis Mill at Sheridan.

**BISHOP** Mr. Bishop stated that the entire Board knew going in that this was a unique situation. We negotiated with the school district for the funding help, because the Board knew it would happen, and the Board has a responsibility to provide for the safety. It is not that much money and it is a significant addition to the recreational facility, which is where a lot of it is going to be used whether it's for football games or people playing tennis, etc.

**Consensus of the Board was agreement to proceed with the engineering and document preparation.**

**LUCIANI** Mr. Luciani stated that a monthly update on the project status will be provided.

**5. 2003 AUDIT REPORT:**

**HOLMAN** Mr. Holman stated that the auditor, Mike Reiner, of Sager, Swisher & Co., LLP, was in attendance to provide a short presentation to the Board. Mr. Holman thanked Mr. Hadge and the financial team for an excellent job with the tracking and control of funds.

**REINER** Mr. Reiner provided a detailed commentary regarding the Audit Report, which indicated the financial statements to be well done from all financial aspects presented.

**DVORYAK** Mr. Dvoryak questioned the SAS99 and how dramatically it had increased the scope of their audits.

**REINER** Mr. Reiner responded that they had seen this exposure adding 5% to 10% additional time just in work relating to fraud standards. They recommend developing an anti-fraud policy for the entire Township.

**HOLMAN** Mr. Holman stated that he is working with the auditor, and an anti-fraud policy will be part of the update to the employee manual in order to meet the SAS99 standards. He asked for a motion from the Board to accept the Audit Report as presented and also to make it available for public review.

**MR. DVORYAK MOVED TO ACCEPT THE AUDIT REPORT AS PRESENTED AND PROVIDED FOR PUBLIC REVIEW. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked Mr. Hadge for his work and stated that there were a lot of positive comments concerning his department in the report. He wanted Mr. Hadge to know that the Board appreciated it.

**HADGE** Mr. Hadge stated that it was four years ago he had come on board with the Township, and he had delivered on every promise he made.

**6. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of June 24, 2004**
- B. T-A-H Construction – Bar Screen & Septage Receiving Station Project – Payment No. 2 in the amount of \$213,207.30**

- C. Leon E. Wintermyer, Inc. – Eastern Boulevard Project – Request for Final Payment in the amount of \$6,491.03**

**GURRERI** Mr. Gurreri questioned the item related to Don's Kawasaki concerning a SkiDoo.

**ESHBACH** Chief Eshbach responded that the ATV had been traded in under the Army Corps grant and a new one was received with the grant money. The item referred to the expenses for equipment.

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A, B, AND C. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. BIDS, PROPOSALS AND CONTRACTS:**

There were no items for discussion.

**8. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-04-02 – Sheridan Manor, Phase II Time Extension to 8/31/04**
- B. SD-04-03 – Sheridan Manor, Phase III Time Extension to 8/31/04**
- C. SD-04-04 – James Meadows Time Extension to 9/30/04**
- D. SD-03-11 – Gary Wesner Subdivision Time Extension to 7/31/04**
- E. LD-04-02 – Commerce Bank Time Extension to 7/31/04**
- F. LD-02-02 – Associated Wholesale Time extension to 12/31/04**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSIONS FOR SUBDIVISIONS AND LAND DEVELOPMENTS LISTED IN ITEMS A THROUGH F. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. SD-03-02 – Motter Industrial – Action**

**BAUGH** Mr. Baugh provided background information regarding SD-03-02 as detailed in his memorandum to the Board of Supervisors dated June 17, 2004. He stated that the purpose of the plan is to combine Lots 1A and 1B of the parent tract to form Lot 1 shown on the plan. Lot 2 is the remaining area of the parent tract, located at 2900 East Market Street, zoned 1: Industrial and R-2 Medium Density Residential. The applicant was granted waivers for a preliminary plan and cul-de-sac length and modifications for sidewalks and street widths. During the May meeting the Planning Commission recommended approval of the plan with specific conditions. Outstanding items had since been addressed. Staff recommended approval with remaining outstanding conditions.

**CONLEY** Mr. Tom Conley was present to respond to any questions; however, there were no questions.

**MR. GURRERI MOVED FOR APPROVAL OF SUBDIVISION 03-02 WITH THE FOLLOWING CONDITIONS:**

- **THE COST ESTIMATE BEING SEALED BY A PROFESSIONAL ENGINEER;**
- **RECEIVING AN APPROVED HIGHWAY OCCUPANCY PERMIT;**
- **BONDING FOR ALL PUBLIC IMPROVEMENTS EXCEPT BONDING THAT IS REQUIRED BY PENNDOT;**
- **CURB AND SIDEWALK BEING INSTALLED ALONG THE ENTIRE MARKET STREET FRONTAGE, WITH THE SIDEWALK AND CURB EXTENDING ALONG MARKET STREET NORTHEAST OF THE PROPOSED DRIVE AND THE SIDEWALK AND CURB TERMINATING JUST PRIOR TO THE RAILROAD CROSSING.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BAUGH** Mr. Baugh introduced Becky Hawthorne, Intern working on the Comprehensive Plan. She graduated Summa Cum Laude from Shippensburg. She will receive her Master's Degree upon completion of 240 units of internship.

**9. COMMUNICATIONS FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck received a certified letter from DEP, which is the official notification of activity at Brunner Island. He will forward the letter to Mr. Holman.

**SCHENCK** Chairman Schenck commented that he had not seen any notes on the Dog Park in the Recreational Board Minutes.

**HOLMAN** Mr. Holman responded that he had seen a drawing and plan, as well as an architectural rendering of what the Dog Park would look like in Mr. Wendell's office. The Park and Rec Board had not yet approved the minutes of that meeting; however, quite a bit of work had been done on it.

**SCHENCK** Chairman Schenck thanked Mark Hodgkinson for a package which included some cool weather gear presented to him with the Wastewater Treatment Plant logo.

**GURRERI** Mr. Gurreri attended the Grease Band concert, which he thought was very good. He commented on the great line up of entertainment.

**HOLMAN** Mr. Holman stated that the Township was doing very well with the radio sponsors. A full report should be coming in another month or two.

- GURRERI** Mr. Gurreri reported that he attended the May 17<sup>th</sup> Park and Rec Board meeting. Lisa Boll attended and spoke about her ideas regarding the addition of low maintenance plants in Springettsbury Park. The Rec Board was receptive to her ideas. There would be some weed pulling maintenance to be done, and she suggested that the Girl Scouts or Boy Scouts or a local garden club could be solicited for the weed pulling. Ms. Boll has a degree in landscaping and horticulture and her expertise could be very beneficial.
- GURRERI** Mr. Gurreri asked whether any progress had been made concerning use of the house. There had been some consideration given toward having the house used by an individual doing maintenance in the park.
- HOLMAN** Mr. Holman responded that there are several options open for the use of the house. He intended to create a proposal to present to the Board for consideration of some recommendations. Some of the options include the possibility of joining some other municipalities on a cable TV channel and using the house as a type of studio. Mr. Holman added that Mr. Lauer and the Public Works staff has one or two minor things left to do, but they had done an excellent job in updating the house.
- BISHOP** Mr. Bishop suggested that the Board think about taking a long-range view of property maintenance issues and blight. His impression indicated that the resources available are being employed appropriately to do that. He added that the issue needed to be addressed from a policy point of view and may be a budgetary consideration for next year.
- GURRERI** Mr. Gurreri agreed with Mr. Bishop's comments.
- HOLMAN** Mr. Holman stated that as part of the Community Development report, there will be a listing of what is being done and where the efforts are being made toward property maintenance, revitalization and enforcement techniques for the Board's review.
- BISHOP** Mr. Bishop stated that any investment in that area would pay off in the long run.
- GURRERI** Mr. Gurreri noted that Chester Shaeffer passed away. He had been active in the Township and will be missed.
- GURRERI** Mr. Gurreri reported that he attended the first Comprehensive Plan meeting on June 22. He felt it was very well organized and a lot of work went into it. He thanked Mr. Holman, staff and Mr. Bishop for their input.

**BISHOP** Mr. Bishop noted the passing of “Pop” Straw, an individual who thought enough of the Township to present a piece of roadway that had become dislodged. He, too, will be missed.

**10. SOLICITOR’S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report.

**11. MANAGER’S REPORT:**

**HOLMAN** Mr. Holman reported that a permit had been received from DEP for Eden Road, and a Notice to Proceed had been issued to Kinsley Construction to begin work on the road. Because of the delay in obtaining that permit, it took a month to get through the advertising time frame. The new schedule on the road indicates completion of the coarse base by November 30, and if the weather does not hold, completion of a finished blacktop by May 1, 2005.

**HOLMAN** Mr. Holman thanked all the members of staff for putting the Power Point presentations together. A lot of time and effort had been spent in preparation, which provided for more effective and clear explanations.

**12. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-08 – Adoption of the Intergovernmental Agreement Creating a Board of Appeals**

**HOLMAN** Mr. Holman stated that the County Board of Commissioners is putting together a Board of Appeals for York County. Springettsbury Township will utilize the services of that Board.

**MR. GURRERI MOVED TO APPROVE ORDINANCE 04-08, ADOPTION OF INTERGOVERNMENTAL AGREEMENT CREATING A BOARD OF APPEALS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 04-09 – Revising the Springettsbury Township Zoning Ordinance Relating to Parking Requirements**

**SCHENCK** Chairman Schenck stated that a public hearing had been held regarding Ordinance 04-09. He asked whether the item had been properly advertised.

**HOLMAN** Mr. Holman responded that it had been properly advertised.

**SCHENCK** Chairman Schenck stated that Mr. Baugh mentioned he intended to make a small minor text change regarding the concrete curb around islands.

**BISHOP** Mr. Bishop asked how developers would be advised of the parking requirement changes. His concern related to unintended consequences.

**BAUGH** Mr. Baugh responded that items like this are discussed during staff review meetings with developers.

**HOLMAN** Mr. Holman indicated that the County Board reviewed it as well.

**MR. GURRERI MOVED FOR APPROVAL OF ORDINANCE 04-09 REVISING THE SPRINGETTSBURY TOWNSHIP ZONING ORDINANCE RELATED TO PARKING REQUIREMENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-53 – Amending Fee Schedule**

**HOLMAN** Mr. Holman commented that the Board may review the Fee Schedule a few more times as the UCC comes into play as related to the affect on development and changes. If it is determined that the fees are unfair or unreasonable, the Board will be asked to approve a revision.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 04-53 AMENDING THE TOWNSHIP FEE SCHEDULE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-54 – Appointment of Building Code Official and Code Administrator for the Administration of the Uniform Construction Code.**

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 04-54. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 04-55 – Administration of the Uniform Construction Code, Appointing Third Party Electrical Inspectors and Third Party Alternate Inspectors.**

**BAUGH** Mr. Baugh reported that the item included a third party alternate to provide inspections during vacation times.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-55, ADMINISTRATION OF THE UNIFORM CONSTRUCTION CODE, APPOINTING THIRD PARTY ELECTRICAL INSPECTORS AND THIRD PARTY ALTERNATE INSPECTORS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. Resolution No. 04-56 – Request for Right-of-Way by Verizon North, Inc. through Lands Owned by Springettsbury Township Wastewater Treatment Facility (Parcel 87).**

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 04-56, RIGHT-OF-WAY BY VERIZON NORTH, INC. THROUGH LANDS OWNED BY SPRINGETTSBURY TOWNSHIP. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. Resolution No. 04-57 – Request for Right-of-Way by Verizon North, Inc. through Lands Owned by Springettsbury Township Wastewater Treatment Facility (Parcel 87A).**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION OF 04-57, RIGHT-OF-WAY BY VERIZON. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – May 27, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING MAY 27, 2004 AS AMENDED. MR. DVORYAK WAS SECOND. MOTION CARRIED. CHAIRMAN SCHENCK ABSTAINED AS HE WAS NOT IN ATTENDANCE.**

**14. OLD BUSINESS:**

There was no Old Business for discussion.

**15. NEW BUSINESS:**

- A. Acknowledge Receipt of May 31, 2004 Treasurer's Report.**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE TREASURER'S REPORT DATED MAY 31, 2004. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck noted that the Fire Company officially provided the Volunteer Incentive Program for approval. He forwarded the copy to Mr. Holman for distribution to the Board.

**SCHENCK** Chairman Schenck asked Mr. Holman or Mr. Hadge to prepare a simple, one-page document explaining the line items in the budget with the money dedicated to Fire Captain reserves.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 24, 2004  
APPROVED**

**HOLMAN** Mr. Holman will provide a memorandum. He had been working with Mr. Stern and Mr. Hadge. He had become educated on the history of it and is preparing a report.

**SCHENCK** Chairman Schenck noted that budget season is approaching and he wondered whether it might be in the Township's interest to consider a minimal budget line item amount between \$5,000 to \$15,000 a year to fill in some of the missing pieces of sidewalks in many of the older developments.

**GURRERI** Mr. Gurreri agreed and added that, in addition to sidewalks, some curbing had deteriorated. Perhaps a small amount of each could be done every year.

**SCHENCK** Chairman Schenck asked Mr. Holman to put together something with engineering.

**HOLMAN** Mr. Holman responded that he would work with Mr. Baugh and engineering and put a plan together.

**16. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 27, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 27, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Andrew Stern, Assistant to the Township Manager  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Vice Chairman Bishop called the meeting to order at 7:00 p.m. He reported that Chairman Schenck would be unable to attend as he was out of town.

**A. Opening Ceremony**

**BISHOP** Mr. Bishop asked for a Moment of Silence in honor of all those who paid the ultimate sacrifice in defense of liberty. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**BISHOP** Mr. Bishop reported that no Executive Sessions had been held since the last public meeting, and none were planned following the Regular Meeting this date.

**HOLMAN** Mr. Holman added that no Work Sessions had been planned.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported on the following projects underway:

- Solids Dewatering Project – A Change Order had been prepared and approved for valve work. The contractor ordered the material and expected a late August, early September installation date.
- Eden Road Interceptor – Mr. Schober reported he met with Harley-Davidson which resulted in a decision to move the line out of their property due to a contaminated soil issue. They were able to coordinate with Norfolk Southern due to a railroad crossing issue, and they agreed to move the crossing further north. There will be some crossing into the Kinsley property, which will require a right-of-way, which will be coordinated with Harley as they will build a similar gravity line to the creek for a direct discharge of some of their industrial pre-treated water.
- Bar Screen Project – the Bar Screen and screening compactor were installed and the screening compactor was started up. Representatives were on site for training. The equipment work is completed. Contractor will focus on the septage receiving building for demolition and addition. The second application for payment was received, which will be forwarded for the Board's approval in June.
- BNR Study – A kick off meeting with Mr. Hodgkinson was scheduled for May 28<sup>th</sup> to move forward with the preliminary design work.
- Barwood Road Sewer Study - Layout and depth estimating was done, and estimates are being finalized. Mr. Schober expected to provide information to the staff within the next few weeks and prior to the next Board meeting.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

Mr. Luciani reported on an issue involving Central High School. Action by the Board will be requested for the maintenance agreement for two signals to be placed at Mt. Zion and Mundis Mill. Dr. Estep, members of the Township staff and Mr. Holman met with Central School District. One of the issues discussed was Sheridan Road and Mundis Mill. By next month there are a few things to be done. They reviewed the Penoni Traffic Study and will formally correspond with the Board. A review of the agreement with the School District is needed for such items as the right-of-way and the availability. It will be necessary to prepare a schedule for putting a signal in and then prepare some costs. Central High School intends to use that as a detour. Mr. Luciani was not certain that a signal will be warranted at the time of the detour, but there are a lot of traffic movements at Sheridan and Mundis that need a careful review. In addition to that there are projects in the vicinity of Sheridan and Mundis Mill, one of which is a final plan for Sheridan Manor. One of the things

staff is requiring the developer to do based on the Board's previous recommendation is curbs and sidewalk along public streets. To set that curb properly a review of the intersection is needed. Mr. Luciani will be corresponding with the Board members prior to the next meeting and provide some facts and figures.

**LUCIANI** Mr. Luciani reported that he had not received any correspondence back from property owners on Sheridan Road.

**HOLMAN** Mr. Holman responded that he had received one response and one sign off.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of May 27, 2004**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MAY 27, 2004. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS:**

**A. Award Bids for 2004 Material and Resurfacing Project (as quoted in Charlie Lauer's memorandum dated May 18, 2003).**

**HOLMAN** Mr. Holman stated that Mr. Lauer was very happy to receive the bids, which were well within the budgetary guidelines for this project and will pick up two year's worth of work. Mr. Lauer had done a good job with the bid specifications and is looking forward to moving ahead on the road improvements.

**LAUER** Mr. Lauer commented that the majority of the bids came in under last year's quote.

**GURRERI** Mr. Gurreri commented that it was unusual especially with rising gas prices.

**MR. DVORYAK MOVED TO AWARD THE BID AS DETAILED IN MR. LAUER'S MEMORANDUM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise for Bids – Springettsbury Park Phase II**

**HOLMAN** Mr. Holman stated that a meeting had been held with the landscape architect. Some minor electrical and water changes had been made based on Mr. Lauer's recommendations. Mr. Wendel reviewed the changes as well. The specs will be ready next week; advertisement should appear in the June 4<sup>th</sup> newspaper. They hope to move the schedule up one week to give extra time for construction to complete the project by the Saturday in the Park/Grand Opening Celebration at

that time. This will be based upon the bids, which are hoped to come in under or at budget.

**BISHOP** Mr. Bishop commented that each item had been phased, so that once the bids are known, the items can be chosen to meet the budget.

**MR. DVORYAK MOVED TO AUTHORIZE THE MANAGER TO ADVERTISE FOR BIDS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise for RFP's – Comprehensive Plan**

**BISHOP** Mr. Bishop stated that the Board is aware that the Comprehensive Plan is an action which municipalities are encouraged to do once every 10 years. The last plan for Springettsbury had been done in 1990. He indicated that Mr. Holman had been working diligently to create an RFP.

**HOLMAN** Mr. Holman thanked the staff, Stacey MacNeal, Jim, Andrew and Erika and the intern, Becky Hawthorne who had been working for the past four months to bring the RFP to fruition. It has been reviewed by the state DCED, as well as by the County, and they are pleased with the RFP, which will be out for 45 days. It is not anticipated that a contract will be awarded until late August, since there will be a review and selection process of the professional/planner who will do this.

**BISHOP** Mr. Bishop commented that the overall approach was to start a portion of it in 2004 and do the bulk of the work in 2005.

**HOLMAN** Mr. Holman added that the Plan should be completed in the beginning of 2006. He noted that one of the items included is that the planner prepares a land use ordinance in support of the master plan so not only is the master plan completed, but also the land use ordinances as well, in support of that master plan.

**BISHOP** Mr. Bishop indicated that would include the entire Subdivision and Land Development Ordinance.

**HOLMAN** Mr. Holman responded that he was correct. He also mentioned a joint Board of Appeals with the County will be advertised in the paper as part of the UCC process. That will be under consideration by the Board at the June meeting. That ordinance, which has been reviewed by the Solicitor, Mr. Holman and Mr. Baugh will authorize the Township to join with the other municipalities in the County in a joint Board of Appeals for the UCC, therefore, becoming more cost effective.

**MR. GURRERI MOVED FOR THE AUTHORIZATION TO ADVERTISE THE RFP FOR THE COMPREHENSIVE PLAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise for Bids for Restoration of the Pistol Range**

**HOLMAN** Mr. Holman reported that quotes had been received on the restoration of the police pistol range. Chief Eshbach reported that the quotes were in excess of the bid limit. Authorization was requested to advertise the quotes as a bid document. This item is funded in the capital budget, but were anticipated at a lower cost.

**MR. GURRERI MOVED TO AUTHORIZE THE ADVERTISEMENT FOR BIDS FOR THE RESTORATION OF THE PISTOL RANGE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**3. Authorize to Advertise for Parking Ordinance Recommended by Planning Commission.**

**BAUGH** Mr. Baugh asked that the Board establish a Public Hearing for discussion of the Parking Ordinance prior to the June 24, 2004 meeting.

**Consensus was to hold a Public Hearing to discuss the Parking Ordinance at 6 p.m. Thursday, June 24, 2004.**

**BISHOP** Mr. Bishop commented that there will be ample opportunity (60 days) for further discussion of that Parking Ordinance following the Public Hearing.

**MR. GURRERI MOVED TO AUTHORIZE THE ADVERTISEMENT FOR A PUBLIC HEARING JUNE 24, 2004 AT 6 P.M. FOR DISCUSSION OF THE PROPOSED PARKING ORDINANCE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. Planning Module A3-67957-358-2 – Gerard Builders – Springettsbury Township – 800 GPD**

**BAUGH** Mr. Baugh stated that item A referenced a planning module for Gerard Builders in the form of a Resolution. Staff recommended adoption of Resolution 04-52.

**BISHOP** Mr. Bishop commented that the form of this Resolution appeared to be a new recommended procedure.

**BAUGH** Mr. Baugh responded that it was a new DEP procedure and will amend the overall sewage plan.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 04-52 FOR THE PLANNING REVISION FOR NEW LAND DEVELOPMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri stated that he had received a call from Jodi Randizi who lives on Kershaw Street. She complained about a neighbor with an old truck in a driveway with no tires, etc. The Township had become involved, and the resident has until June 4<sup>th</sup> to comply with regulations or pay a fine.

**GURRERI** Mr. Gurreri stated that he had attended an Economic Development tour and received a York County Industrial Directory, which he provided to Mr. Holman.

**HOLMAN** Mr. Holman responded that it would be a good reference document, especially for the Comprehensive Plan library.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch asked for action on a motion to approve the right-of-way for Central York School District Emergency Access over the Tree Farm lot. He had reviewed the agreement and there were no problems. He requested the Board's approval.

**HOLMAN** Mr. Holman mentioned that this was part of the overall plan and had been approved by the School Board.

**DVORYAK** Mr. Dvoryak asked a question on page 1, paragraph 4 as to whether it should say grantee instead of grantor.

**RAUSCH** Solicitor Rausch responded he was correct, that it should be grantee, and he would make the change.

**MR. DVORYAK MOVED TO APPROVE THE RIGHT-OF-WAY AGREEMENT THROUGH THE TREE FARM WITH CENTRAL YORK SCHOOL DISTRICT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported he met with Nutec to discuss some minor improvements to the main municipal building to make it more user friendly. One of the areas for review will be the sound in the Board Room and the possibility of designing some speakers in the back to improve the sound, along with the ability to allow the speakers to go out into the lobby for an overflow.

**HOLMAN** Mr. Holman reported that one of the Township employees had been called to active duty in Iraq. The Township will stay in contact with him overseas and look forward to his return.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance 04-07 – Adoption of the Uniform Construction Code as the Building Code for Springettsbury Township**

**HOLMAN** Mr. Holman reported that this action is referred to as “Opting in to the Pennsylvania Construction Code.” The separate Board of Appeals will be through the County and had been reviewed by Solicitor Rausch, Mr. Holman and Mr. Baugh. Action will be requested during the June 24<sup>th</sup> meeting.

**RAUSCH** Solicitor Rausch added that by opting in the Township forms its own building inspectors.

**HOLMAN** Mr. Holman commented that there will be very little change in how the Township conducts business, as the inspections already were being conducted by the staff.

**BOWMAN** Mr. Bowman asked whether the majority of other municipalities were opting in.

**HOLMAN** Mr. Holman responded that most are opting in. Otherwise, the state has to do the inspections and could cause delays.

**BAUGH** Mr. Baugh added that the residents would have to find their own third party inspectors, as the state won't do residential inspections.

**RAUSCH** Solicitor Rausch noted that some municipalities are opting out because they are convinced that it's going to be appealed.

**MR. DVORYAK MOVED TO APPROVE ORDINANCE 04-07 FOR ADOPTION OF THE UNIFORM CONSTRUCTION CODE AS THE BUILDING CODE FOR SPRINGETTSBURY TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-51 – Traffic Signal Maintenance Agreement – Mundis Mill Road/North Sherman Street and Mt. Zion Road/North Sherman Street**

**LUCIANI** Mr. Luciani stated that the signals will be constructed to the Township specifications, which had been provided to Messrs. Schober and Smith, in order that they will be consistent with all other equipment in the Township.

**HOLMAN** Mr. Holman commented that they had met with the school and reviewed the information and concerns with regard to lights, one of which was to make sure they were built to Township specifications.

**MR. GURRERI MOVED FOR ADOPTION OF RESOLUTION 04-51, TRAFFIC SIGNAL MAINTENANCE AGREEMENT, MUNDIS MILL ROAD/NORTH SHERMAN**

**STREET AND MT. ZION ROAD/NORTH SHERMAN STREET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Special Meeting – May 13, 2004**

**MR. BOWMAN MOVED FOR APPROVAL OF MINUTES OF THE SPECIAL MEETING/WORK SESSION MAY 13, 2004 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – May 13, 2004**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE REGULAR BOARD MEETING MAY 13, 2004 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**HOLMAN** Mr. Holman stated he will have the final street improvements report sent to the Board prior to the next meeting, with regard to the priority schedule being compiled.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of April 30, 2004 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE APRIL 30, 2004 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Recommendation of Comprehensive Plan Ad Hoc Committee Members**

**HOLMAN** Mr. Holman reported that the Ad Hoc Committee acts as a sub-committee of the Planning Commission. They will report to the Planning Commission first and then the Planning Commission will provide the recommendation to the Ad Hoc Committee and provide those recommendations for final approval to the Board of Supervisors. He requested approval of the creation of the Ad Hoc Committee in order that they have Township insurance protection.

**MR. GURRERI MOVED TO APPROVE THE RECOMMENDATION OF THE COMPREHENSIVE PLAN AD HOC COMMITTEE MEMBERS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that the first meeting will be scheduled in about three weeks.

**15. ADJOURNMENT:**

**GURRERI** Mr. Gurreri commented that he had taken a walk in the park just prior to the meeting. He stated that the park is being well used.

**BISHOP** Mr. Bishop adjourned the meeting at 7:40 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 13, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 13, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Andrew Stern, Assistant to the Township Manager  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:10 p.m. He Asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri asked for a Moment of Silence for Karen King and her daughter, Hannah, who lost their lives in the flood, along with all the police and firemen who attempted to help them, and for Nick Berg, who lost his life in Iraq.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**GURRERI** Mr. Gurreri wished Mr. Bishop a Happy Birthday.

**SCHENCK** Chairman Schenck stated that he heard that some of the attendees had trouble hearing during previous meetings. He asked the public to please let the Board members know if they cannot hear.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held

just prior to the Regular meeting regarding some issues surrounding the IAFF Negotiations.

**3. COMMUNICATION FROM CITIZENS**

**KELLER** Mr. Roy Keller, 28 North Findlay Street, had some questions regarding fencing. He desired to put up a six-foot fence on his property. He had contacted several Township staff members, who had directed him to the Board of Supervisors. His property is located in the Old East York neighborhood, which he indicated seemed to be changing. A fence on his property would help him not to have to see some blighted areas. He wanted to obtain a copy of the regulations. He provided some photographs of his property, etc. and asked whether anything could be done to help.

**SCHENCK** Chairman Schenck stated that he was aware of the regulations surrounding six-foot high fences because he wanted to put one at his house. He explained that it varied by zone and must be 10 feet off the property line. A four-foot fence would be permitted. He apologized to Mr. Keller concerning his obtaining a copy of the Ordinance. It is a public document and only one page of the Ordinance would be needed if he didn't want to buy the entire book.

**KELLER** Mr. Keller commented on the Board's interest in the Old East York neighborhood, which some consider a historical site. He suggested that it might be time to revisit the issue to see what could be done in areas like where he lived. He added that he had seen some six-foot high fences in the area. His answer to that was if people lie they can sneak around it.

**SCHENCK** Chairman Schenck indicated that the Ordinance is an older one. The thought process at the time was in keeping with character of neighborhoods where people actually looked at each other and talked to each other, and having the four-foot fences was more an issue of character of neighborhoods. The other issue is from a security standpoint. Police would prefer to be able to see into a property not surrounded by fencing. Home centers are displaying privacy fences, and the resident assumes they can erect them. Chairman Schenck indicated frustration that those who try to do things the right way can't. The Board of Supervisors is not permitted to grant relief from the Ordinance, but Mr. Keller could apply to the Zoning Hearing Board for a variance from the Ordinance.

**KELLER** Mr. Keller asked what the cost would be to seek a variance.

**SCHENCK** Chairman Schenck indicated it was \$250.00.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 13, 2004  
APPROVED**

- BISHOP** Mr. Bishop stated he thought Mr. Keller would lose because there was nothing unique about his situation.
- RAUSCH** Solicitor Rausch stated he would need to establish a hardship that is unique to HIS property.
- KELLER** Mr. Keller commented he thought it was a shame that the properties would be permitted to deteriorate. He added that the street can't be swept in front of his property because of an old car sitting there. Neither can the snowplow clean in front of his property.
- SCHENCK** Mr. Schenck stated that was one situation the Township could remedy.
- KELLER** Mr. Keller responded that he had contacted a police officer, who had come to his residence and written up a report on the car.
- BISHOP** Mr. Bishop indicated that Mr. Keller was in exactly the right place. The way he had explained the situation was exactly the way the Board needed to consider it. The way people live and the characters of neighborhoods have really changed, and this issue of fences had troubled him for a number of years. He sat next to different people who had tried to explain to him the logic of fences in the past, and there are arguments on both sides. The only way the Board could do anything would be to change the Ordinance/law, and they do have the power to do that. However, he indicated it would take 18 to 24 months at least and probably become part of the Comprehensive Plan.
- KELLER** Mr. Keller asked that Solicitor Rausch pursue the matter.
- FOLTZ** Don Foltz, 3601 Ridgewood Road, as Mr. Keller whether the car in front of his property has a current license and inspection.
- KELLER** Mr. Keller responded that it has a license plate on it, but the inspection ran out in July of 03. He was not certain if the plate was current.
- FOLTZ** Mr. Foltz suggested that he speak with Chief Eshbach, who could get in touch with the owner and have it moved.
- KELLER** Mr. Keller responded that a policeman is working on it.
- FOLTZ** Mr. Foltz indicated that he had a similar situation at his place about a year ago. His son-in-law had an old Corvair, which was sitting at least 100 feet back from the road, off to the side, barely visible from the road. It was not in running condition, licensed or inspected. It was just ready to be restored as an antique. They have a neighbor who saw it and contacted the

police and it had to be moved. He indicated that was why he had asked the questions to see if that car was one that could be forced to be moved.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**

**Eden Road Interceptor**

Mr. Schober reported that the Eden Road Interceptor was lagging a little while waiting on the development between Eden Road and Paradise, the Fabie property. There are a few issues being resolved on which way the roads are going. He had spoken with Mr. Luciani just prior to the meeting, and it appeared to be imminent. He hoped it would be finalized within the next two weeks. They will meet with Harley-Davidson to review the alignment. The edge of their property will be cut through toward Sandbank Road and will require right-of-way from them. There may be some contaminated soil issues that go way back to the Navy days but they should be able to deal with that and have this out to bid shortly in order to have it built before the snow.

**Bar Screen/Septage Project**

Mr. Schober reported that the Bar Screen and Septage Project is moving along well. The bar screen and compacter were delivered and are nearly ready for installation. This should only take about a week to get wired and started. Once that is on line they will start on the Septage Receiving Station.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

**Eden Road Interceptor**

Mr. Luciani reported several updates. Re/the Eden Road Interceptor, there is a developer that wants to construct 15 lots between Paradise and Eden Road. The plan had been in front of the Planning Commission a couple of times and needed a waiver. The issue that Mr. Luciani had is they were going to put four driveways out onto Eden Road. Knowing that a lot of the volume of traffic Eden Road is going to have from Harley's industrial traffic will be traveling from Gate 5 at the east end of Harley to Route 30. Mr. Luciani's concerns related to having four residential houses facing Eden Road even though they are zoned that way.

They had been working closely with the developer and believe they have designed an innovative way to have these driveways go to Paradise Road, even though they'll have frontage on Eden. The goal is to have them buffer that so that there won't be complaints about all the traffic on Eden. Ed Sowers and the sewer people are also working closely with the developer to try to come up with a way to get the sewer right-of-way. He

hoped not to kill that project but to work through it and resolve some problems in the future.

**Sherman Street Title Work**

Mr. Luciani provided an update on the title work on Sherman Street. He indicated that the request actually came from Mr. Holman to determine the PennDot status. It appears PennDot quit-claimed to the Township in 2002, thereby granting maintenance responsibility and effectively the ownership to the Township. There will be further review by Solicitor Rausch and Mr. Holman.

**Central Middle School/North Sherman Street**

Mr. Luciani reported that during field inspections with Mr. Lauer, it was determined that there was a storm drainage problem. The sidewalk just north of the school was severely undermined. The creek apparently had washed out underneath the sidewalk. Dr. Estep, Mr. Holman and Mr. Luciani met and Kinsley had come in on an emergency basis and repaired that sidewalk.

**SCHENCK** Chairman Schenck asked Mr. Luciani to be sure to review the property on Sherman Street to be certain of the current status.

**HOLMAN** Mr. Holman stated he would make sure Solicitor Rausch reviewed the matter, and he would do the same to be sure it is correct. Following that, the next step could be taken.

**BOWMAN** Mr. Bowman commented on an incorrect spelling of a name mentioned in Mr. Luciani's report, which Mr. Luciani agreed to fix

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of May 13, 2004**
- B. Authorization to Make Payment to Springetts Fire Company for Reimbursement of Utilities, Phone and Insurance Costs for 2002 and 2003 in the amount of \$83,125.27.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Authorization to Proceed – Professional Services Agreement with Buchart Horn, Inc. – Biological Nutrient Removal (BNR) Evaluation, Project No. 70056 – Cost Not to Exceed \$34,000**

**HOLMAN** Mr. Holman reported that item A dealt with the biological nutrient removal evaluation. Buchart Horn is the Township's Environmental

Engineer, but because this is being paid for out of a Growing Greener Grant Mr. Holman wanted to be sure that these funds are kept separate with a separate contract so that proper reporting could be done complying with grant requirements. This is only Phase I of this with the preliminary work, followed by Phase II. The grant itself is about \$249,000. This only utilizes the first \$34,000 of that grant.

**SCHENCK** Chairman Schenck stated for clarification that this would provide the options on what could be done; nothing to do with design work.

**SCHOBER** Mr. Schober indicated it was really the planning phase to determine what needed to be designed.

**MR. DVORYAK MOVED TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUCHART HORN, FOR BNR EVALUATION PROJECT NO. 70056 WITH A COST NOT TO EXCEED \$34,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Johnston Construction Co. – Change Order Request – Solids Handling Project – Replace Five Existing 14-inch Wedge Gate Valves at the Return Sludge Pumps in the amount of \$55,711.75**

**HOLMAN** Mr. Holman stated quotes had been received when there was a failed valve at the plant to replace one of the five valves. When this quote was received, an additional quote was received to replace all five of the valves, all of which are over 20 years old. The one quote was approximately \$25,000 to replace one; it was \$55,000 to replace all five, which was more cost effective. Buchart Horn had done some inspections and Mr. Hodgkinson actually anticipated that over the next few years the valves will have to be replaced. The legislative grant received recently for \$100,000 can be used. It was an excellent project by Mr. Hodgkinson and the Environmental Engineers to look at the cost for not just replacing one but all five and make it a cost effective project. This was a worthwhile Change Order.

**MR. GURRERI MOVED TO APPROVE JOHNSTON CONSTRUCTION CHANGE ORDER REQUEST, SOLIDS HANDLING PROJECT REPLACING FIVE EXISTING 14-INCH WEDGE GATE VALVES AT THE RETURN SLUDGE PUMP IN THE AMOUNT OF \$55,711.75. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-03-02 – Motter Tract Industrial – Time Extension to 7/31/04**
- B. SD-04-01 – Motter Tract Residential – Time Extension to 7/31/04.**

**MR. GURRERI MOVED TO ACCEPT TIME EXTENSIONS FOR A AND B MOTTER TRACT INDUSTRIAL AND MOTTER TRACT RESIDENTIAL TO 7/31/04. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-02-16 – Gerard Builders – Time Extension to 8/31/04**

**MR. DVORYAK MOVED TO GRANT TIME EXTENSION GERARD BUILDERS TO 8/31/04 ON SUBDIVISION 02-16. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that residents had mentioned some trees that had been knocked down during the hurricane last year. There is a pile of wood remnants that needs to be removed. He asked whether the Township has the means to have residents remove debris.

**BAUGH** Mr. Baugh responded that the debris can be removed.

**BOWMAN** Mr. Bowman indicated it was the whole top of a tree, and he thought the area was around 2800 Forrest Lane.

**GURRERI** Mr. Gurreri reported that the Police Pension Board met May 5. Mike Bowman, Sgt. Trott, John Holman and Mr. Gurreri attended that meeting with Legacy Trust and Fulton Financial. An excellent report was received. The next meeting will be August 4<sup>th</sup> at 9 a.m.

**9. SOLICITOR’S REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing to add to his written report.

**10. MANAGER’S REPORT:**

**HOLMAN** Mr. Holman reported that a payment had been received from Susquehanna Radio in accordance with the terms and conditions of the initial agreement for the Summer Concert Series, as well as an additional check for \$500 representing funds that had been raised. At this point more funds have been raised for that series than last year.

Mr. Holman requested action on the re-appointment of Chief Eshbach and David Wendel to the CTC Boards at Central School and York Suburban. Chief Eshbach will serve on the York Suburban Board; David Wendel on the Central School CTC Board. Mr. Holman reported they had been doing excellent work and were requested by those Boards to be reappointed. The reappointments are for three-year terms. He requested a motion to

approve those appointments, which run from January 1 for a 3-year period of time.

**MR. GURRERI MOVED TO APPROVE A THREE-YEAR SEAT FOR DAVID ESHBACH ON THE CTC BOARD AT YORK SUBURBAN AND DAVID WENDEL ON THE CTC BOARD AT CENTRAL SCHOOL BOARD. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop reported that he had received an unsolicited comment from one of the other members of the Suburban CTC Board indicating how wonderful it was working with the Police Chief on their CTC Board.

**GURRERI** Mr. Gurreri stated he attended those meetings along with the Chief.

**MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman reported that Stacy MacNeal completed her review of the Ordinance for utilizing the UCC and agreeing to go into the state statute program. That will be advertised for consideration by the Board at the May 27<sup>th</sup> meeting. Copies will be provided to the Board.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-48 – Amending Purchasing Guidelines and Authorization Requirements**

**SCHENCK** Chairman Schenck indicated that item A had been recommended by Mr. Holman in order to review the purchasing guidelines. This raises the threshold for Board approval of expenditures.

**HOLMAN** Mr. Holman responded that it would authorize the Township Manager that, if something is purchased under the Cooperative Purchasing Agreement or under the State Contract Programs for Inter-Governmental Agreement and such an item was already approved by the Board as part of the budget process, the Manager would be authorized to sign off on the item up to a maximum of \$25,000. Statutorily anything that has to go out to bid, \$10,500 or above, would have to go out to bid. He would then make a report of this in the Manager's Report on anything that was purchased under that program from \$10,500 on up under that program.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 04-48 AMENDING PURCHASING GUIDELINES AND AUTHORIZATION REQUIREMENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – April 22, 2004**

**MR. DVORYAK MOVED TO APPROVE THE AMENDED MINUTES FOR THE REGULAR MEETING OF APRIL 22, 2004. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**SCHENCK** Chairman Schenck asked for clarification of the new meeting schedule for the summer. June, July, August.

**HOLMAN** Mr. Holman responded that the meetings will be held the fourth Thursday of June, July and August. He also anticipated the mid-year budget review for the budget report, which will be ready for the Board's review at the beginning of July. He had recommended a date, which could change at the Board's discretion.

**14. NEW BUSINESS:**

**A. Appointment of Members to Park and Recreation Board (Two Vacancies)**

**SCHENCK** Chairman Schenck stated that two vacancies exist on the Park and Recreation Board and there are three interested candidates.

**Mr. Holman recused himself due to a conflict of interest and left the board room at 7:50 p.m.**

**GURRERI** Mr. Gurreri stated that Cathleen Holman is an excellent candidate. He thought it was a conflict of interest and not fair to the Rec Board, nor fair to the people who work for the Township, and absolutely wrong to do. He indicated there are many places she could volunteer in the Township. However, he did not think any manager's spouse should be on any board. His remarks had nothing to do with Cathleen Holman as he knew her to be a great person but should not be sitting on the Rec Board. He did not think it was something the Board should condone or start.

**SCHENCK** Chairman Schenck commented that there had been a past practice of interviewing candidates. There had been some deviation from that practice, and filling the vacancies had been an Agenda item for some time.

**BISHOP** Mr. Bishop recalled that Mr. Wendel had intended to interview the candidates and provide the Board with his input.

**SCHENCK** Chairman Schenck stated that he had received more detailed resumes.

**BISHOP** Mr. Bishop indicated he thought the Board had a responsibility to find the most qualified candidates and those who could provide the best possible

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 13, 2004  
APPROVED**

assistance to the Township. These are advisory boards that don't have a lot of authority other than communicating with and helping this Board to understand the activities. He commented on having three excellent candidates for two slots, which would be a difficult decision. He thought there would be tremendous benefit to Springettsbury Township to having Cathleen Holman on the Recreation Board, and he did not really see any downside.

**DVORYAK**

Mr. Dvoryak echoed some of both Mr. Gurreri's and Mr. Bishop's comments. He thought Cathy Holman would be an excellent addition to the staff. He had some concerns in terms of the position it might place David Wendel in with his role as the Park and Recreation Director. He did not believe that anything would likely happen; however, he was concerned about the public perception of what that might be to have her on the committee making recommendations to him as the Director when he in turn reports to Mr. Holman.

**GURRERI**

Mr. Gurreri questioned who could say no to the Manager's wife.

**SCHENCK**

Chairman Schenck indicated agreement with Mr. Dvoryak. He stated that this particular candidate could manage the balancing act. The public perception could be one thing, but the results would outweigh the possible negatives that the public might see.

**BOWMAN**

Mr. Bowman could see both sides of the issue. He thought Cathleen Holman would be outstanding but agreed that there could be some negative perception. He thought she was very well qualified.

**GURRERI**

Mr. Gurreri added he thought it was unfortunate to be put in this position as it could create conflict.

**DVORYAK**

Mr. Dvoryak stated he did not know the other two candidates.

**BOWMAN**

Mr. Bowman stated he only knew one.

**GURRERI**

Mr. Gurreri stated he knew both of the other candidates, which he felt were excellent.

**SCHENCK**

Chairman Schenck called for a motion.

**MR. BISHOP RECOMMENDED THE APPOINTMENT OF CATHLEEN HOLMAN AND GARY FOLLER TO THE PARK AND REC BOARD. MR. BOWMAN WAS SECOND.**

**GURRERI**

Mr. Gurreri stated that he would be voting no, as he thought there would be a conflict of interest.

**SPRINGETTSBURY TOWNSHIP  
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**MOTION CARRIED 3/2. MESSRS BOWMAN, BISHOP AND SCHENCK VOTED YES.  
MR. GURRERI AND MR. DVORYAK VOTED NO.**

**SCHENCK** Chairman Schenck thanked the Board and added that they do not always have to agree.

**Mr. Holman returned to the board room at 8 p.m.**

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**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 13, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 13, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Andrew Stern, Assistant to the Township Manager  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:10 p.m. He Asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri asked for a Moment of Silence for Karen King and her daughter, Hannah, who lost their lives in the flood, along with all the police and firemen who attempted to help them, and for Nick Berg, who lost his life in Iraq.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**GURRERI** Mr. Gurreri wished Mr. Bishop a Happy Birthday.

**SCHENCK** Chairman Schenck stated that he heard that some of the attendees had trouble hearing during previous meetings. He asked the public to please let the Board members know if they cannot hear.

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**SCHENCK** Chairman Schenck announced that an Executive Session had been held

just prior to the Regular meeting regarding some issues surrounding the IAFF Negotiations.

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**KELLER** Mr. Roy Keller, 28 North Findlay Street, had some questions regarding fencing. He desired to put up a six-foot fence on his property. He had contacted several Township staff members, who had directed him to the Board of Supervisors. His property is located in the Old East York neighborhood, which he indicated seemed to be changing. A fence on his property would help him not to have to see some blighted areas. He wanted to obtain a copy of the regulations. He provided some photographs of his property, etc. and asked whether anything could be done to help.

**SCHENCK** Chairman Schenck stated that he was aware of the regulations surrounding six-foot high fences because he wanted to put one at his house. He explained that it varied by zone and must be 10 feet off the property line. A four-foot fence would be permitted. He apologized to Mr. Keller concerning his obtaining a copy of the Ordinance. It is a public document and only one page of the Ordinance would be needed if he didn't want to buy the entire book.

**KELLER** Mr. Keller commented on the Board's interest in the Old East York neighborhood, which some consider a historical site. He suggested that it might be time to revisit the issue to see what could be done in areas like where he lived. He added that he had seen some six-foot high fences in the area. His answer to that was if people lie they can sneak around it.

**SCHENCK** Chairman Schenck indicated that the Ordinance is an older one. The thought process at the time was in keeping with character of neighborhoods where people actually looked at each other and talked to each other, and having the four-foot fences was more an issue of character of neighborhoods. The other issue is from a security standpoint. Police would prefer to be able to see into a property not surrounded by fencing. Home centers are displaying privacy fences, and the resident assumes they can erect them. Chairman Schenck indicated frustration that those who try to do things the right way can't. The Board of Supervisors is not permitted to grant relief from the Ordinance, but Mr. Keller could apply to the Zoning Hearing Board for a variance from the Ordinance.

**KELLER** Mr. Keller asked what the cost would be to seek a variance.

**SCHENCK** Chairman Schenck indicated it was \$250.00.

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- BISHOP** Mr. Bishop stated he thought Mr. Keller would lose because there was nothing unique about his situation.
- RAUSCH** Solicitor Rausch stated he would need to establish a hardship that is unique to HIS property.
- KELLER** Mr. Keller commented he thought it was a shame that the properties would be permitted to deteriorate. He added that the street can't be swept in front of his property because of an old car sitting there. Neither can the snowplow clean in front of his property.
- SCHENCK** Mr. Schenck stated that was one situation the Township could remedy.
- KELLER** Mr. Keller responded that he had contacted a police officer, who had come to his residence and written up a report on the car.
- BISHOP** Mr. Bishop indicated that Mr. Keller was in exactly the right place. The way he had explained the situation was exactly the way the Board needed to consider it. The way people live and the characters of neighborhoods have really changed, and this issue of fences had troubled him for a number of years. He sat next to different people who had tried to explain to him the logic of fences in the past, and there are arguments on both sides. The only way the Board could do anything would be to change the Ordinance/law, and they do have the power to do that. However, he indicated it would take 18 to 24 months at least and probably become part of the Comprehensive Plan.
- KELLER** Mr. Keller asked that Solicitor Rausch pursue the matter.
- FOLTZ** Don Foltz, 3601 Ridgewood Road, as Mr. Keller whether the car in front of his property has a current license and inspection.
- KELLER** Mr. Keller responded that it has a license plate on it, but the inspection ran out in July of 03. He was not certain if the plate was current.
- FOLTZ** Mr. Foltz suggested that he speak with Chief Eshbach, who could get in touch with the owner and have it moved.
- KELLER** Mr. Keller responded that a policeman is working on it.
- FOLTZ** Mr. Foltz indicated that he had a similar situation at his place about a year ago. His son-in-law had an old Corvair, which was sitting at least 100 feet back from the road, off to the side, barely visible from the road. It was not in running condition, licensed or inspected. It was just ready to be restored as an antique. They have a neighbor who saw it and contacted the

police and it had to be moved. He indicated that was why he had asked the questions to see if that car was one that could be forced to be moved.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**

**Eden Road Interceptor**

Mr. Schober reported that the Eden Road Interceptor was lagging a little while waiting on the development between Eden Road and Paradise, the Fabie property. There are a few issues being resolved on which way the roads are going. He had spoken with Mr. Luciani just prior to the meeting, and it appeared to be imminent. He hoped it would be finalized within the next two weeks. They will meet with Harley-Davidson to review the alignment. The edge of their property will be cut through toward Sandbank Road and will require right-of-way from them. There may be some contaminated soil issues that go way back to the Navy days but they should be able to deal with that and have this out to bid shortly in order to have it built before the snow.

**Bar Screen/Septage Project**

Mr. Schober reported that the Bar Screen and Septage Project is moving along well. The bar screen and compacter were delivered and are nearly ready for installation. This should only take about a week to get wired and started. Once that is on line they will start on the Septage Receiving Station.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI**

**Eden Road Interceptor**

Mr. Luciani reported several updates. Re/the Eden Road Interceptor, there is a developer that wants to construct 15 lots between Paradise and Eden Road. The plan had been in front of the Planning Commission a couple of times and needed a waiver. The issue that Mr. Luciani had is they were going to put four driveways out onto Eden Road. Knowing that a lot of the volume of traffic Eden Road is going to have from Harley's industrial traffic will be traveling from Gate 5 at the east end of Harley to Route 30. Mr. Luciani's concerns related to having four residential houses facing Eden Road even though they are zoned that way.

They had been working closely with the developer and believe they have designed an innovative way to have these driveways go to Paradise Road, even though they'll have frontage on Eden. The goal is to have them buffer that so that there won't be complaints about all the traffic on Eden. Ed Sowers and the sewer people are also working closely with the developer to try to come up with a way to get the sewer right-of-way. He

hoped not to kill that project but to work through it and resolve some problems in the future.

**Sherman Street Title Work**

Mr. Luciani provided an update on the title work on Sherman Street. He indicated that the request actually came from Mr. Holman to determine the PennDot status. It appears PennDot quit-claimed to the Township in 2002, thereby granting maintenance responsibility and effectively the ownership to the Township. There will be further review by Solicitor Rausch and Mr. Holman.

**Central Middle School/North Sherman Street**

Mr. Luciani reported that during field inspections with Mr. Lauer, it was determined that there was a storm drainage problem. The sidewalk just north of the school was severely undermined. The creek apparently had washed out underneath the sidewalk. Dr. Estep, Mr. Holman and Mr. Luciani met and Kinsley had come in on an emergency basis and repaired that sidewalk.

**SCHENCK** Chairman Schenck asked Mr. Luciani to be sure to review the property on Sherman Street to be certain of the current status.

**HOLMAN** Mr. Holman stated he would make sure Solicitor Rausch reviewed the matter, and he would do the same to be sure it is correct. Following that, the next step could be taken.

**BOWMAN** Mr. Bowman commented on an incorrect spelling of a name mentioned in Mr. Luciani's report, which Mr. Luciani agreed to fix

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of May 13, 2004**
- B. Authorization to Make Payment to Springetts Fire Company for Reimbursement of Utilities, Phone and Insurance Costs for 2002 and 2003 in the amount of \$83,125.27.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Authorization to Proceed – Professional Services Agreement with Buchart Horn, Inc. – Biological Nutrient Removal (BNR) Evaluation, Project No. 70056 – Cost Not to Exceed \$34,000**

**HOLMAN** Mr. Holman reported that item A dealt with the biological nutrient removal evaluation. Buchart Horn is the Township's Environmental

Engineer, but because this is being paid for out of a Growing Greener Grant Mr. Holman wanted to be sure that these funds are kept separate with a separate contract so that proper reporting could be done complying with grant requirements. This is only Phase I of this with the preliminary work, followed by Phase II. The grant itself is about \$249,000. This only utilizes the first \$34,000 of that grant.

**SCHENCK**

Chairman Schenck stated for clarification that this would provide the options on what could be done; nothing to do with design work.

**SCHOBER**

Mr. Schober indicated it was really the planning phase to determine what needed to be designed.

**MR. DVORYAK MOVED TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUCHART HORN, FOR BNR EVALUATION PROJECT NO. 70056 WITH A COST NOT TO EXCEED \$34,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Johnston Construction Co. – Change Order Request – Solids Handling Project – Replace Five Existing 14-inch Wedge Gate Valves at the Return Sludge Pumps in the amount of \$55,711.75**

**HOLMAN**

Mr. Holman stated quotes had been received when there was a failed valve at the plant to replace one of the five valves. When this quote was received, an additional quote was received to replace all five of the valves, all of which are over 20 years old. The one quote was approximately \$25,000 to replace one; it was \$55,000 to replace all five, which was more cost effective. Buchart Horn had done some inspections and Mr. Hodgkinson actually anticipated that over the next few years the valves will have to be replaced. The legislative grant received recently for \$100,000 can be used. It was an excellent project by Mr. Hodgkinson and the Environmental Engineers to look at the cost for not just replacing one but all five and make it a cost effective project. This was a worthwhile Change Order.

**MR. GURRERI MOVED TO APPROVE JOHNSTON CONSTRUCTION CHANGE ORDER REQUEST, SOLIDS HANDLING PROJECT REPLACING FIVE EXISTING 14-INCH WEDGE GATE VALVES AT THE RETURN SLUDGE PUMP IN THE AMOUNT OF \$55,711.75. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-03-02 – Motter Tract Industrial – Time Extension to 7/31/04**  
**B. SD-04-01 – Motter Tract Residential – Time Extension to 7/31/04.**

**MR. GURRERI MOVED TO ACCEPT TIME EXTENSIONS FOR A AND B MOTTER TRACT INDUSTRIAL AND MOTTER TRACT RESIDENTIAL TO 7/31/04. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-02-16 – Gerard Builders – Time Extension to 8/31/04**

**MR. DVORYAK MOVED TO GRANT TIME EXTENSION GERARD BUILDERS TO 8/31/04 ON SUBDIVISION 02-16. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that residents had mentioned some trees that had been knocked down during the hurricane last year. There is a pile of wood remnants that needs to be removed. He asked whether the Township has the means to have residents remove debris.

**BAUGH** Mr. Baugh responded that the debris can be removed.

**BOWMAN** Mr. Bowman indicated it was the whole top of a tree, and he thought the area was around 2800 Forrest Lane.

**GURRERI** Mr. Gurreri reported that the Police Pension Board met May 5. Mike Bowman, Sgt. Trott, John Holman and Mr. Gurreri attended that meeting with Legacy Trust and Fulton Financial. An excellent report was received. The next meeting will be August 4<sup>th</sup> at 9 a.m.

**9. SOLICITOR’S REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing to add to his written report.

**10. MANAGER’S REPORT:**

**HOLMAN** Mr. Holman reported that a payment had been received from Susquehanna Radio in accordance with the terms and conditions of the initial agreement for the Summer Concert Series, as well as an additional check for \$500 representing funds that had been raised. At this point more funds have been raised for that series than last year.

Mr. Holman requested action on the re-appointment of Chief Eshbach and David Wendel to the CTC Boards at Central School and York Suburban. Chief Eshbach will serve on the York Suburban Board; David Wendel on the Central School CTC Board. Mr. Holman reported they had been doing excellent work and were requested by those Boards to be reappointed. The reappointments are for three-year terms. He requested a motion to

approve those appointments, which run from January 1 for a 3-year period of time.

**MR. GURRERI MOVED TO APPROVE A THREE-YEAR SEAT FOR DAVID ESHBACH ON THE CTC BOARD AT YORK SUBURBAN AND DAVID WENDEL ON THE CTC BOARD AT CENTRAL SCHOOL BOARD. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop reported that he had received an unsolicited comment from one of the other members of the Suburban CTC Board indicating how wonderful it was working with the Police Chief on their CTC Board.

**GURRERI** Mr. Gurreri stated he attended those meetings along with the Chief.

**MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman reported that Stacy MacNeal completed her review of the Ordinance for utilizing the UCC and agreeing to go into the state statute program. That will be advertised for consideration by the Board at the May 27<sup>th</sup> meeting. Copies will be provided to the Board.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-48 – Amending Purchasing Guidelines and Authorization Requirements**

**SCHENCK** Chairman Schenck indicated that item A had been recommended by Mr. Holman in order to review the purchasing guidelines. This raises the threshold for Board approval of expenditures.

**HOLMAN** Mr. Holman responded that it would authorize the Township Manager that, if something is purchased under the Cooperative Purchasing Agreement or under the State Contract Programs for Inter-Governmental Agreement and such an item was already approved by the Board as part of the budget process, the Manager would be authorized to sign off on the item up to a maximum of \$25,000. Statutorily anything that has to go out to bid, \$10,500 or above, would have to go out to bid. He would then make a report of this in the Manager's Report on anything that was purchased under that program from \$10,500 on up under that program.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 04-48 AMENDING PURCHASING GUIDELINES AND AUTHORIZATION REQUIREMENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – April 22, 2004**

**MR. DVORYAK MOVED TO APPROVE THE AMENDED MINUTES FOR THE REGULAR MEETING OF APRIL 22, 2004. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**SCHENCK** Chairman Schenck asked for clarification of the new meeting schedule for the summer. June, July, August.

**HOLMAN** Mr. Holman responded that the meetings will be held the fourth Thursday of June, July and August. He also anticipated the mid-year budget review for the budget report, which will be ready for the Board's review at the beginning of July. He had recommended a date, which could change at the Board's discretion.

**14. NEW BUSINESS:**

**A. Appointment of Members to Park and Recreation Board (Two Vacancies)**

**SCHENCK** Chairman Schenck stated that two vacancies exist on the Park and Recreation Board and there are three interested candidates.

**Mr. Holman recused himself due to a conflict of interest and left the board room at 7:50 p.m.**

**GURRERI** Mr. Gurreri stated that Cathleen Holman is an excellent candidate. He thought it was a conflict of interest and not fair to the Rec Board, nor fair to the people who work for the Township, and absolutely wrong to do. He indicated there are many places she could volunteer in the Township. However, he did not think any manager's spouse should be on any board. His remarks had nothing to do with Cathleen Holman as he knew her to be a great person but should not be sitting on the Rec Board. He did not think it was something the Board should condone or start.

**SCHENCK** Chairman Schenck commented that there had been a past practice of interviewing candidates. There had been some deviation from that practice, and filling the vacancies had been an Agenda item for some time.

**BISHOP** Mr. Bishop recalled that Mr. Wendel had intended to interview the candidates and provide the Board with his input.

**SCHENCK** Chairman Schenck stated that he had received more detailed resumes.

**BISHOP** Mr. Bishop indicated he thought the Board had a responsibility to find the most qualified candidates and those who could provide the best possible

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assistance to the Township. These are advisory boards that don't have a lot of authority other than communicating with and helping this Board to understand the activities. He commented on having three excellent candidates for two slots, which would be a difficult decision. He thought there would be tremendous benefit to Springettsbury Township to having Cathleen Holman on the Recreation Board, and he did not really see any downside.

**DVORYAK**

Mr. Dvoryak echoed some of both Mr. Gurreri's and Mr. Bishop's comments. He thought Cathy Holman would be an excellent addition to the staff. He had some concerns in terms of the position it might place David Wendel in with his role as the Park and Recreation Director. He did not believe that anything would likely happen; however, he was concerned about the public perception of what that might be to have her on the committee making recommendations to him as the Director when he in turn reports to Mr. Holman.

**GURRERI**

Mr. Gurreri questioned who could say no to the Manager's wife.

**SCHENCK**

Chairman Schenck indicated agreement with Mr. Dvoryak. He stated that this particular candidate could manage the balancing act. The public perception could be one thing, but the results would outweigh the possible negatives that the public might see.

**BOWMAN**

Mr. Bowman could see both sides of the issue. He thought Cathleen Holman would be outstanding but agreed that there could be some negative perception. He thought she was very well qualified.

**GURRERI**

Mr. Gurreri added he thought it was unfortunate to be put in this position as it could create conflict.

**DVORYAK**

Mr. Dvoryak stated he did not know the other two candidates.

**BOWMAN**

Mr. Bowman stated he only knew one.

**GURRERI**

Mr. Gurreri stated he knew both of the other candidates, which he felt were excellent.

**SCHENCK**

Chairman Schenck called for a motion.

**MR. BISHOP RECOMMENDED THE APPOINTMENT OF CATHLEEN HOLMAN AND GARY FOLLER TO THE PARK AND REC BOARD. MR. BOWMAN WAS SECOND.**

**GURRERI**

Mr. Gurreri stated that he would be voting no, as he thought there would be a conflict of interest.

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**MOTION CARRIED 3/2. MESSRS BOWMAN, BISHOP AND SCHENCK VOTED YES.  
MR. GURRERI AND MR. DVORYAK VOTED NO.**

**SCHENCK** Chairman Schenck thanked the Board and added that they do not always have to agree.

**Mr. Holman returned to the board room at 8 p.m.**

/

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**MAY 13, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, May 13, 2004 at 6:30 p.m. The purpose of the Work Session was for discussion of the Trash Contract.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
James Baugh, Director of Community Development  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Work Session to order at 6:30 p.m. and turned the meeting over to Township Manager, John Holman.

**HOLMAN** Mr. Holman reported that he had forwarded a copy of the recommendations with regard to renewing the trash contract. The Board had requested that he review the costs of other municipalities' trash disposal contracts, along with the most recent bids and awards. In comparison Springettsbury Township appeared to have reasonable rate with regard to trash pickup, especially based on the latest contract awarded in West Manheim with current costs at \$45.45 per quarter.

A summary of further discussion provided the following information:

- Changes to the current Springettsbury Township contract would cause a quarterly increase of \$3.95.
- Brush debris weekly pickup between April and October.
- Bulk pick up, previously offered, will be done weekly, resulting in an increase in recyclables.
- Trash contract information to be published in two newsletters to residents.
- Brush pickup on a weekly basis would be gathered in biodegradable cornstarch bags, also mandated, or tied into bundles.
- Penn Waste will hold prices for three years.

- Contract price with Penn Waste would be held for three years, renewed year to year.
- Consideration should be given for yard waste cost to seniors on fixed incomes.
- Yard waste costs: \$6.00/year or \$.50/month; once a week service is \$.90/month or \$10.80/year.

Future suggestions:

- Handling billing in-house along with sewer bills.
- Subsidize costs for specific (fixed income) residents from Recycle grant money.

**HOLMAN**

Mr. Holman stated that further review will be held with Solicitor Rausch to be sure the contract is clear. They will study the recommendations to be certain all contract bid laws are followed. With a start date of January 1, 2005 a letter would be sent to DEP indicating the process that is moving forward in the Township, which will comply with the mandated recycling Act 101 requirements.

**2. ADJOURNMENT:**

**SCHENCK**

Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**MAY 13, 2004  
APPROVED**

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**MEMBERS IN**

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Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
James Baugh, Director of Community Development  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

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**2. ADJOURNMENT:**

**SCHENCK**

Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 22, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 22, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
Dave Wendel, Director of Parks and Recreation  
Andrew Stern, Assistant to the Township Manager  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**B. Loyalty Oath – Officer Douglas S. Daniels**

**SCHENCK** Chairman Schenck asked Chief Eshbach to introduce Officer Daniels.

**ESHBACH** Chief Eshbach introduced Officer Douglas S. Daniels and provided his background information. Officer Daniels was hired on April 19, 2004, which provided a full complement of 30 officers for the Police Department.

**BISHOP** Mr. Bishop led Officer Daniels in the Loyalty Oath.

**ESHBACH** Chief Eshbach presented him with his Identification Badge, number 17.

**2. ANNOUNCEMENTS OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that there were no Executive Sessions to announce.

**SCHENCK** Chairman Schenck announced an addition to the Agenda, Resolution 04-47 to be considered in recognition of an Eagle Scout in the Township.

**3. COMMUNICATIONS FROM CITIZENS:**

**MILLWATER** Mr. Harry Millwater, 419 Pinehurst Road, asked several questions concerning Kingston Estates development. He asked (1) the name of the building contractor, (2) who owns Olde York LLC, (3) what the builder planned to install between the homes on Pinehurst Road and the back yards of the new project to prevent water runoff, (4) clarification of whether the Township will be released from all lawsuits for improper grading.

**SCHENCK** Chairman Schenck responded that the Township would try to clarify some of the answers. The Board will be approving the Subdivision and Land Development Plan; however, the builder is not a Township concern

**HOLLEY** Mr. Holley indicated that Ryan Homes is the builder. Olde York LLC is a limited partnership by Joe Scerbo. Mr. Holley showed Mr. Millwater the plan for the swale.

**RAUSCH** Solicitor Rausch responded to his question of the release of liability. He stated that the Township has nothing to do with the grading of an individual lot. The builder is responsible.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBBER** Mr. Schober reported that the Solids Dewatering Project is working well. The contractor had been asked to provide prices on a Change Order; however, the Township had not decided which choices to take. The contractor had not yet mobilized on the Bar Screen Septage Receiving project, but it is still early, and there are no scheduling problems. The scope of services for the BNR Study was provided to Mr. Hodgkinson. The Risk Management Plan is half done, and the Board could expect by the next meeting to have something to review.

**B. Civil Engineer – First Capital Engineering**

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**LUCIANI** Mr. Luciani stated that the bulk of his written report contained an update of plans being presented and reviewed. He had included an exhibit relating to Sheridan Road. The largest request for property is 1/10<sup>th</sup> of an acre from one property owner. The current legal right of way is an insignificant amount. The PennDot form and request for fee simple of \$1.00 will be forwarded the last week of April. A discussion was held with Mr. Hollinger. He had some concerns; however, following discussion he understood the plan.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 22, 2004**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF APRIL 22, 2004. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Permission to Solicit Bids to Supply 30 KW Stand-by Generator at Cor Box Pump Station**

**HOLMAN** Mr. Holman stated that he had reported on this item in his written report. The backup generator is a requirement.

**HODGKINSON** Mr. Hodgkinson stated that at the present time there is no backup generator in place.

**BOWMAN** Mr. Bowman asked how long it had been since it was made a requirement.

**HODGKINSON** Mr. Hodgkinson responded it had been some time.

**HOLMAN** Mr. Holman stated that the Township is expected to have a secondary source for this type of pump station.

**MR. DVORYAK MOVED TO AUTHORIZE THE STAFF TO SOLICIT BIDS FOR A STAND-BY GENERATOR AT COR BOX PUMP STATION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Permission to Purchase 22,400 lbs. of Permacast 10,000 Grout at a cost of \$11,200 (plus \$500 estimated freight charge).**

**HOLMAN** Mr. Holman indicated this purchase would be made under state contract. Because the aggregate value is over \$10,500 it must go through the Board for approval. Mr. Holman added that at some point the Board might

review the policy regarding the amount necessary to go to the Board for approval.

**SCHENCK** Chairman Schenck asked whether a machine had been purchased to do this grouting work.

**HODGKINSON** Mr. Hodgkinson responded that the Permacast machine would coat the interior walls of nearly any manhole.

**MR. GURRERI MOVED TO APPROVE THE PURCHASE OF 22,400 LBS. OF PERMACAST 10,000 GROUT AT A COST OF \$11,200 PLUS \$500 FREIGHT CHARGE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop stated that Mr. Holman's recommendation to increase the amount which must be approved by the Supervisors was a good one which should be pursued.

**SCHENCK** Chairman Schenck stated that the request was to upgrade the amount to \$25,000.

**HOLMAN** Mr. Holman added that, as long as the item would be under state contract, anything over \$10,500 in Second Class Townships must go out for formal bid process. He recommended a motion to amend the policy to increase the amount to \$25,000.

**BISHOP** Mr. Bishop suggested that, since it had been some time since the Board had reviewed the item, he thought it would make sense to review the policy and address it at the next meeting.

**SCHENCK** Chairman Schenck agreed that he would like to review the language and be sure that the word "budgeted" would be noted.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-03-01 – York Technical Institute Time Extension to 8/31/04**
- B. LD-03-01 – York Technical Institute Time Extension to 8/31/04**

**BAUGH** Mr. Baugh indicated that the extensions are normal ones. He stated that at some point in time, a decision will have to be made as to how long the extensions will be accepted.

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR SUBDIVISION 03-01 AND LAND DEVELOPMENT 03-01, YORK TECHNICAL INSTITUTE, TO AUGUST 31, 2004. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Kingswood Estates – Action**

**BAUGH**

Mr. Baugh provided background information regarding the Kingswood Estates plan, as noted in his April 16, 2004 memorandum. The development is zoned R2 Medium Density Residential and consists of 28 acres to be developed into 53 single family detached dwelling lots ranging in size from 12,500 square feet to approximately 41,400 square feet. The existing single family dwelling on one of the parcels will remain and be a lot in the new subdivision. During the last Planning Commission meeting, the applicant requested certain waivers and the Commission recommended granting the following modifications:

- Modification to curb on the east side of Edgewood Road but install curb on the west side of Edgewood Road. The applicant provided documentation that the area currently is in the PennDot right-of-way.
- Modification to sidewalk on both sides of Edgewood Road, except for the northeast corner of the property as shown on Sheet 3 Alternate. The Commission had certain safety concerns about sidewalk on the southeast corner of the property, such as pedestrians being directed onto Edgewood Road without a continuing pathway and difficulty in negotiating the sidewalk, especially in adverse winter conditions.

**BAUGH**

Mr. Baugh reported that the Planning Commission recommended approval of the plan with several conditions as noted in his memorandum. Staff concurred with the Commission's recommendations. Mr. Baugh presented several slides showing the sidewalk areas. There was considerable discussion concerning the roadways, sidewalks/curbing, and stormwater summarized as follows:

**Roadways:**

- Current cart way is 22 feet, enough for two lanes.
- No driveways on one side of Edgewood Road.
- Widening Edgewood would involve turning movements.
- No direct vehicular connections to Edgewood Road resulting in less traffic congestion.
- Right-of-way on the Scerbo property side is nearly 100 feet; at the top 111 feet; in the middle only 85 feet. Right-of-way is on the east side.
- A 60-foot right-of-way would allow for potential four lane widening, and shoulders could be improved for additional lanes.
- Plan calls for adding a right turn at the Kingston and Edgewood Road light, alleviating congestion.

**Sidewalks and Curbing:**

- Sidewalks were shown on the southeastern corner coming out onto Edgewood Road.
- Adjoining neighborhood has no sidewalks.

- Curb extends the entire eastern border of the project.
- Pushing back the curb line will not likely be required by Penn Dot.
- 
- Requested modification is to not put curbing on the west side.
- Planning Commission did not believe sidewalks on Edgewood Road would be safe for pedestrians. They proposed sidewalks from Kingston into the development.
- Soil Conservation Service verbally requested sidewalks not be put in along Edgewood.
- Springettsbury Park and Rec Board recommended not to have sidewalk along Edgewood.
- Sidewalks always make it safer for pedestrians.
- Residents living there for 30 plus years have observed very few people walking that portion.
- Parks will be available in the lower section where pedestrians could walk a two-mile portion.
- Easement would be required for sidewalk.

**Stormwater:**

- During a rain storm approximately three acres of water drains off the land currently.
- Embankment will be cut and retaining walls put in, and the bulk of the water runoff will be directed onto the street and collected in the stormwater basin, directed into an existing pipe into a stormwater system resulting in cutting the three acres of water down by two-thirds.

**HOLLEY**

Mr. James Holley, engineer for the plan was present, along with Mr. Joe Scerbo.

**SCERBO**

Mr. Scerbo reported that Olde York LLC is a partnership between himself and his three children. He provided some details regarding the property and indicated this development is an attempt to complete the project, which had been unsuccessful in the past.

**SCHENCK**

Chairman Schenck indicated that the decisions to be made were not easy ones.

**GURRERI**

Mr. Gurreri stated that he liked the plan much better than the plan the Board had reviewed many years ago.

**BISHOP**

Mr. Bishop added that was an important point to make. Significant effort had been made to come up with a good plan, which involved very a difficult, very intensive use of that property. This plan is very workable and fits into the character of the neighborhood in every way. The roads

make sense and keeps traffic off of Edgewood. He thanked Mr. Holman for his intervention on that issue earlier as a recommendation.

**SCHENCK** Chairman Schenck noted that the sidewalk issue is the only outstanding question with several alternatives.

**BISHOP** Mr. Bishop commented that he did not agree with the Planning Commission recommendation, and added that it comes down to sidewalks on Edgewood or not, with good arguments both ways.

**GURRERI** Mr. Gurreri agreed that sidewalks are needed, but it felt it would be more dangerous to have a sidewalk on Edgewood Road than one on the inside of the development.

**DVORYAK** Mr. Dvoryak stated that, based on everything he had heard and his knowledge of that area, he agreed with Mr. Gurreri, which was the staff's original recommendation.

**BAUGH** Mr. Baugh stated that there are a lot of people involved in determining the staff recommendation. They do not always agree and sometimes find a solution agreeable to all. He could speak for himself and preferred the sidewalk.

**BOWMAN** Mr. Bowman commented that, although it would be less convenient for the builder, he would like to have sidewalks.

**SCHENCK** Chairman Schenck indicated he liked the idea as drawn on sheet 3, which is the sidewalk on Edgewood.

**MR. BISHOP MOVED WITH REFERENCE TO SUBDIVISION 03-18 KINGSWOOD ESTATES SUBDIVISION PLAN, WITH RESPECT TO THE WAIVERS:**

- **GRANT MODIFICATION FOR SALDO SECTION 407, CURB, ELIMINATING THE INSTALLATION OF CURBING ON THE EAST SIDE OF EDGEWOOD ROAD ONLY;**
- **DENY GRANT OF A MODIFICATION OF SECTION 408.1, SIDEWALK, REQUIRING SIDEWALK TO BE INSTALLED ON THE NORTHEAST CORNER OF THE PROPERTY AS INDICATED ON SHEET 3 ALT, BUT NOT EXTENDING TO EDGEWOOD ROAD, THE NET AFFECT OF DENYING THAT MODIFICATION WOULD BE TO:**
- **ELIMINATE SHEET 3 ALTERNATE AND GO BACK TO SHEET 3, INSTEAD OF 3A ORIGINAL DRAWING AND**

**MOVED TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **RECEIVING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL;**

- **RECEIVING A COPY OF THE PENNDOT PERMIT FOR THE BASIN DISCHARGE INTO THE INLET ON THE STATE ROAD FOR THE RIGHT-HAND TURN LANE ON KINGSTON ROAD;**
- **RECEIVING UPDATED DETAILS FOR INLETS CB-4 AND CB-5 SHOWING CLEAN WASHED STONE AND WEEP HOLES, SHOWING LIGHT FIXTURES CONFORMING TO TOWNSHIP STANDARDS ON THE DETAIL SHEETS OF THE PLANS.**

**MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. DVORYAK VOTED AGAINST THE MOTION.**

**SCHENCK** Chairman Schenck stated that the Power Point Presentation on the plan worked very well. He thanked Mr. Baugh.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that he and Mr. Holman attended the Pennsylvania State Association of Township Supervisors (PSATS) convention. Senators Arlen Specter and Rick Santorum, Congressman Todd Platts, former Representative Peck Foster were in attendance. President Bush spoke to 3700 people. Overall attendance was 4700. A number of others spoke, and the sessions were very educational. He thanked the Township for allowing him to attend, vote and represent the Board.

**HOLMAN** Mr. Holman added that it had been an excellent seminar to learn about Pennsylvania issues and concerns and for grants and programs that could help support the Township. He enjoyed meeting the different vendors who were there as well. There was a lot of interest in the Township's Comprehensive Plan.

**DVORYAK** Mr. Dvoryak reported he had an opportunity to meet with the Historic Preservation Committee. He found the meeting to be very informative with an interesting group of individuals. He applauded their efforts in what they're doing within the Township in the area of historic preservation. He looked forward to meeting and learning more from the Board's perspective in terms of what their position is with that committee.

**SCHENCK** Chairman Schenck reported that a short dedication ceremony would be held for his son's Memorial Eagle Project at Stonewood Park on Sunday, May 16<sup>th</sup> at 2 p.m. He invited anyone interested to attend. He stated that the format would follow that of an Eagle Scout ceremony.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch addressed the Marketing Services Agreement for the Summer Concert Series with WSBA. He had forwarded the agreement to

the WSBA counsel for review. He suggested that the Board approve the Agreement subject to final attorney review. That way the Chairman could sign the agreement and the Township could receive the \$10,500.

**MR. BISHOP MOVED TO AUTHORIZE THE EXECUTION OF THE MARKETING SERVICES AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND WSBA, WARM 103, WSOX FOLLOWING APPROVAL OF COUNSEL. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that the Volunteer Fire Company issues should be discussed under Old Business. He called attention to the photographs presented by the Historic Preservation Committee. The photographs detailed and marked historic pictures of the community, and will be hung in the meeting room. The Historic Preservation Committee did a very nice job on the project. He thanked Jim Baugh and Erika Belen who had worked with the Committee for some time, as well as Mr. Dvoryak who attended the meeting.

Mr. Holman also called attention to a map of Springettsbury Township Park. An overlay had been made to show the location of Phase II, scheduled to be completed during the summer, including tennis courts, midway, new pavilion, new parking area. An add alternate shows a playground in another area, which will be determined by funding. The overlay will assist the Saturday In The Park Committee with their planning.

**SCHENCK** Chairman Schenck stated that the Board had been provided with a copy of Chief Eshbach's memorandum regarding the 1900 block of North Sherman Street. He asked whether that data could be sent to Mrs. Richardson.

**HOLMAN** Mr. Holman responded that the information will be forwarded.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-06 – Keystone Opportunity Expansion Zone (KOEZ)**

**SCHENCK** Chairman Schenck stated that a presentation regarding the KOEZ had been made during the April 8, 2004 meeting.

**HOLMAN** Mr. Holman reported that he provided copies of York Suburban and York County's approved Resolutions for the KOEZ. The service contract had been reviewed by the Solicitor, which mirrored the School Districts, and which had been approved. The Township would receive the full amount

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in fees which would match what would be due in taxes for services that the Township provides to the site. This would include services by police, fire, maintenance of traffic ways to and from along with other municipal services. The Township would not lose any funding or revenues by entering into this agreement. The numbers had been checked by the Finance officer and the Tax Collector.

**RAUSCH** Solicitor Rausch stated that the original agreement is subject to the property being released by the Bon Ton. It's not just subject to being approved. The zoning must be approved by BCED.

**SCHENCK** Chairman Schenck noted that the Service Agreement would stand alone, outside of the KOEZ.

**HOLMAN** Mr. Holman commented that, in addition, should the Township have an increase its rate, and then there would be a comparable increase in payment from the Bon Ton.

**BISHOP** Mr. Bishop asked whether the Service Agreement would cover the Business Privilege tax.

**RAUSCH** Solicitor Rausch responded that it just covers the Property/Real Estate Tax and would be exempt from all local taxes.

**BISHOP** Mr. Bishop noted that all local taxes would be exempt, but there would be no collection of the Business Privilege Tax as part of the Service Agreement.

**RAUSCH** Solicitor Rausch responded that he was correct and that the only revenue collected would be the proportionate share of the Real Estate Taxes.

**GURRERI** Mr. Gurreri indicated that it wouldn't be much money, only around \$300.00

**BISHOP** Mr. Bishop added that the Business Privilege Tax could amount to some revenue; however, he was not sure whether it would apply to the kind of business under consideration.

**RAUSCH** Solicitor Rausch added that the business would be operating in Springettsbury Township, so it might be possible to pick up the Business Privilege Tax.

**BISHOP** Mr. Bishop understood that there was a separate legal entity which operated the credit card company.

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- HOLMAN** Mr. Holman added that having the Bon Ton here would provide some of the benefits.
- VANDENBRUL** Mr. Andrew VandenBrul of KPMG confirmed that the Service Agreement would be applicable only to the Real Estate Tax. He asked for some clarification on the Township's Business Privilege Tax.
- BISHOP** Mr. Bishop responded that the tax was 1-1/2% on receipts; wholesale is one half.
- VANDENBRUL** Mr. VandenBrul indicated that he did not think the issue was addressed for several reasons. One is that the Bon Ton's corporate headquarters is in Springettsbury Township, which would obviously remain. It was contemplated that the credit card operations, which are currently in a separate legal entity, would continue as a separate legal entity. There are two different business, and one would be in its existing location outside of the zone, but there is not any Business Privilege Tax being collected at this site right now. The Township is getting Property Taxes because the property has been there, vacant for a period of time. Approval of the Ordinance would reduce the collections from the Property Tax, but for the separate agreement it's similar in numbers. The timing of the Ordinance is the most important part of this evening. This is the last opportunity to meet the deadline that the County and the School District have approved this. This is the last political subdivision that needs to approve it, and it needs to be submitted by May 1. Should there be questions on the agreement, the Bon Ton people have been dealing in good faith on this trying to balance the fact that they are trying to lease this space and deal with the real estate negotiations at the same time that they're trying to wrap up this process to make it financial viable for them to keep the jobs here and bring the other jobs in from outside of the state. Mr. VandenBrul thought the Bon Ton would be open for discussion as it was not something previously addressed.
- BISHOP** Mr. Bishop indicated he was not trying to kill the deal. He wanted to be sure that the Board understood the business gross receipts, or mercantile license taxes.
- SCHENCK** Chairman Schenck added that he wanted to understand whether the Township would receive any revenue other than the \$10.00 head tax because the revenue comes from the retail business. The Ordinance dealt with retail and wholesale distribution, where Business Privilege comes from services.
- VANDENBRUL** Mr. VandenBrul agreed that it was only a cost center versus a profit center.

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- BISHOP** Mr. Bishop noted that he was sure the tax would be paid by the store in the Galleria, but whether the corporate headquarters would be impacted by the tax was an unanswered question.
- SCHENCK** Chairman Schenck responded that he did not think it would be, but it would be a pretty big number.
- VANDENBRUL** Mr. VandenBrul stated that the headquarters doesn't typically receive receipts. They're a cost center. Their job is to deal with purchasing, merchandising, etc.
- SCHENCK** Chairman Schenck noted that this new operation would be a profit center.
- VANDENBRUL** Mr. VandenBrul stated that it would collect payments from credit cards. He had not looked into the sourcing of it. The operation is presently in Spring Garden Township at the Queensgate Shopping Center. He was not sure whether it was because they don't have a tax or what their payments would be on a local basis. These are interest payments. There would be questions of how they would be sourced because people live all over the region who are shopping at their local Bon Ton and remitting payments, probably not through this Township; probably through the bank. He was not sure where those payments would go.
- SCHENCK** Chairman Schenck commented that the business he is involved with has corporate headquarters in Manchester Township. They don't pay anything on the gross sales of the entire business but do pay the mercantile wholesale portion for the business transacted in that Township across the board.
- VANDENBRUL** Mr. VandenBrul noted that a similar question came up during the York Suburban meeting in terms of the timing. In their case it involved approving a Resolution the same evening that they approved signing this agreement without Bon Ton counter-signing at the same time. A definitive action is being taken on a Resolution, taking half the action on an agreement. His comment during that meeting was that everyone was dealing in good faith and that there is a timing issue that needs to be worked out, but also there's a whole DCED approval process. The state has until June 30 to approve this. He was certain that if Springettsbury Township or the School District said it was their understanding that the agreement was in place and that was the main reason why they wanted to enter into it and why the resolution was passed to ask for an enhancement to the KOEZ. If there is no longer an interest, he believed that DCED would be willing to deny it. That same issue comes up here regardless of what's in the agreement, we're asking for the Ordinance to be passed this evening with the expectation that Bon Ton will sign the agreement. They've said that, looked at the draft and provided language. Clearly the

Township would not get the Business Privilege Tax absent something in the agreement. The reason the taxes are listed in the Ordinance that's proposed is because the state law requires that an Ordinance be passed exempting the specific taxes, usually if applicable. All would be listed, and if the Business Privilege Tax is not listed, it's a moot point. If you do then that's part of the package and you have to abate that.

**SCHENCK** Chairman Schenck asked about the status of the Service Agreement, and whether it still was in draft form.

**RAUSCH** Solicitor Rausch responded that it is in final form. May 1 is the deadline for the Expansion Zone, and the Ordinance needed to be approved.

**DVORYAK** Mr. Dvoryak noted that the heart of the question seemed to be whether the amount that's in the Service Agreement would be adequate to keep the Township truly whole.

**HOLMAN** Mr. Holman offered to go back and research the issue on the Business and Mercantile Tax to determine whether there is any further impact and address that at a future meeting.

**VANDENBRUL** Mr. VandenBrul offered to research it as well.

**HOLMAN** Mr. Holman indicated that a determination would need to be made as to whether it is something that would have tax impact. If it is then what is the impact. It's a relatively difficult number to come up with, but he stated he would make an effort to address it.

**BISHOP** Mr. Bishop asked whether Mr. VandenBrul agreed with the basic principle that the intention of the Bon Ton was for Springettsbury Township to essentially not give up any revenue sources that would otherwise be entitled to by enacting this Ordinance.

**VANDENBRUL** Mr. VandenBrul responded that what was said was to level the playing field at the state level.

**SCHENCK** Chairman Schenck stated that he was comfortable with that statement.

**MR. BISHOP MOVED FOR ADOPTION OF ORDINANCE 04-06 KEYSTONE OPPORTUNITY EXPANSION ZONE. MR. DVORYAK WAS SECOND.**

**GURRERI** Mr. Gurreri asked what the Ordinance actually meant.

**SCHENCK** Mr. Schenck responded that the Board would be approving the expansion of the Keystone Opportunity Zone.

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**BISHOP** Mr. Bishop added that there would be no property or business taxes on the office building for 10 years.

**GURRERI** Mr. Gurreri asked what Mr. Holman was going to review.

**RAUSCH** Solicitor Rausch stated that they would review the Service Agreement and investigate whether or not that Service Agreement should include any portion of the Business Privilege Tax in order to come to an agreement.

**MOTION UNANIMOUSLY CARRIED.**

**B. Resolution 04-44 – Authorizing Submittal of a FY 2004 Grant Application to the EPA**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-44 AUTHORIZING SUBMITTAL OF A FY 2004 GRANT APPLICATION TO THE EPA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-45 – Health Insurance Portability and Accountability Act (HIPAA) Privacy Policy**

**HOLMAN** Mr. Holman reported that the HIPAA privacy policy is required by law. Betty Speicher was appointed the HIPAA officer for all Township employees with the exception of the Teamsters, which is covered by another officer.

**SPEICHER** Mrs. Speicher stated that the other officer covers the Emergency Medical Services.

**HOLMAN** Mr. Holman stated that he is the alternate officer, should a second opinion be needed or for review of personnel records. This will comply with the HIPAA statute by adopting this policy, which was provided by the insurance firm, and by appointing Betty Speicher as our HIPAA officer. This deals with medical insurance and transportation of information through the electronic age. It has grown a lot more than the initial intent of the HIPAA legislation.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-45 WHICH IS REQUIRED FOR SPRINGETTSBURY TOWNSHIP TO COMPLY WITH FEDERAL LAW. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-46 – Authorizing Articles of Agreement with Northeastern York County Sewer Authority to Apply Biosolids to Land Owned by Todd Ahrens**

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**SCHENCK** Chairman Schenck stated that he had read the information provided and commended Mark Hodgkinson for his forward-thinking in finding another place to apply biosolids.

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 04-46 AUTHORIZING ARTICLES OF AGREEMENT WITH NORTHEASTERN YORK COUNTY SEWER AUTHORITY TO APPLY BIOSOLIDS TO LAND OWNED BY TODD AHRENS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution 04-47 – Recognition of Luke T. Rhoads, Eagle Scout**

**SCHENCK** Chairman Schenck read the Resolution which recognized the achievements of Luke T. Rhoads as an Eagle Scout. Among the ranks which Mr. Rhoads had achieved, he had completed a service project benefiting the Township consisting of planting trees and installing benches at Springetts Oaks Park. This award will be presented to him on Sunday, May 16<sup>th</sup>, pending approval by the Board.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-47 IN RECOGNITION OF LUKE T. RHOADS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing – April 8, 2004**

**MR. BISHOP MOVED FOR APPROVAL OF BOARD OF SUPERVISORS PUBLIC HEARING MINUTES APRIL 8, 2004 AS DRAFTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Regular Meeting – April 8, 2004**

**MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 8, 2004 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**A. Charting a Brighter Future for All – The Time is Now – Comprehensive Action Plan of YorkCounts Commission**

**SCHENCK** Chairman Schenck asked whether Mr. Holman desired to discuss the report.

**HOLMAN** Mr. Holman stated that the document had been provided for the Board's review, and there was no need for discussion. This document will be added to the information reviewed for the Comprehensive Plan.

**SCHENCK** **Volunteer Fire Company Reimbursements**  
Chairman Schenck commented on the on-going issue with the Volunteer Fire Company regarding reimbursements for operating expenses. Their statements for three years had been reviewed. Mr. Holman had created a spreadsheet, and Chairman Schenck wondered whether the spreadsheet should be reviewed line by line.

**HOLMAN** Mr. Holman stated that he understood that part of the reimbursement was utilities and insurance. What he wanted to gather was something for the entire Board's review and then provide a recommendation and authorization for payment of certain issues possibly at the next meeting.

**SCHENCK** Chairman Schenck asked whether the spreadsheet had been passed along to Bob Astor of the Fire Company.

**HOLMAN** Mr. Holman responded that it had been only directed to the Board first. He will be meeting with Bob Astor to go over it with him. The expenses were received by Bob Astor. Mr. Holman wanted to research to see how much had been reserved in each fund year, what were the expenses normally returned, and then work through the more difficult expenses. Upon completion of this review, a policy can be established.

**SCHENCK** Chairman Schenck thought it would be good to have a copy sent to Bob Astor as it is indicating it is the information that the Supervisors are reviewing. If the Fire Company is going to challenge it or comment, it will get the ball rolling.

**BISHOP** Mr. Bishop agreed that it should be provided sooner rather than later.

**HOLMAN** Mr. Holman stated that he had made a recommendation with regard to reimbursements for fund years 2000, 2002 and 2003. He had not recommended anything for 2001, which he asked the Board to review.

**SCHENCK** Chairman Schenck noted that the statements showed that in 2001 some reimbursement had been made.

**HOLMAN** Mr. Holman agreed and added that \$74,501 had been reimbursed. Based on that, there would be no reimbursement recommended for that fund year. He asked the Board members to review the report and pass along any questions.

**Springettsbury Park – Beautification Project**

**GURRERI** Mr. Gurreri asked about the issue of beautifying Springettsbury Park, which had been discussed during 2003. He asked about the Snowberger house and offering it for rent to someone to work the park. He stated that a meeting would be held with Lisa Boll who works with Heritage and does a nice job to see what she would recommend. She had some interest in leasing the house. He asked about the status of the house.

**HOLMAN** Mr. Holman responded that had been on option. He reported that the house is being brought up to code for leasing. Mr. Lauer had been working on it, and the painting was completed. The hardwiring and smoke detectors have been added. The house itself is in good shape. The gas fireplace is being checked and some panes of glass are being replaced. It must be up to code in order to lease it. It will be another two or three weeks before it is finished. He is working on some recommendations as far as what the cost would be to lease the house and if the Township were to have someone work, how to trade that. He will be discussing that with Solicitor Rausch to be sure we don't run into any problems. Leasing the house straight is easily done. The difficulty comes when it is leased out and becomes a portion of someone's salary or lowering the cost of that which would go toward payment of the service they provide to us. How that is accomplished needs to be worked out with Solicitor Rausch. The meeting tomorrow is with Mr. Holman, David Wendel and Lisa Boll. She's working with the Park and Rec Board and will discuss that with them in May. Mr. Holman was not sure realistically what was being presented, but they will hear what she has to say.

**SCHENCK** Chairman Schenck stated that at the last meeting it was suggested that she have a meeting with the Parks & Rec Board. Chairman Schenck's suggestion was to do exactly what was proposed, brainstorm it and see what the possibilities are. There are great people involved, and someone should be able to come up with the right thing to do.

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of March 31, 2004 Treasurer's Report.**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE MARCH 31, 2004 TREASURER'S REPORT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BOWMAN** Mr. Bowman stated that Mr. Hadge had given him some information that there could be some questions on the balance. There is tax money which arrived on March 26<sup>th</sup>. This is a snapshot in time. The money is there, but only for a short period of time and will be transferred out.

**B. Appointment of Members to Park and Recreation Board (Two Vacancies)**

- SCHENCK** Chairman Schenck brought forward the appointment of members to the Park and Rec Board.
- HOLMAN** Mr. Holman stated he had not provided the resumes for the two representatives. He needed to secure them from Mr. Wendel. Letters were provided; however, the item could be delayed until the next meeting or action could be taken.
- SCHENCK** Chairman Schenck stated that there were two people presented in his packet of information. He thought there was a third.
- BISHOP** Mr. Bishop stated that a third had been received from Cathy Holman that she was interested. She had expressed that interest to Mr. Bishop some time ago. There is the obvious question of whether there is a problem with having the wife of the Township Manager on the Recreation Board. Mr. Bishop thought it might make the Township Manager somewhat uneasy; he doesn't want to bring her name forward. Those of us who were involved with her in the interview process know that she is a dynamic person who is really interested in this sort of thing and has been very active in these kinds of activities.
- SCHENCK** Chairman Schenck agreed with Mr. Bishop. In fairness to Mr. Holman, he's probably not going to bring her name up. I'd like to get her name on the list of candidates.
- GURRERI** Mr. Gurreri asked that a letter be sent to the Chairman, and the same thing could be done with hers.
- BISHOP** Mr. Bishop commented that a letter of interest had been received.
- SCHENCK** Chairman Schenck asked that Mr. Holman please include the information for the third candidate.
- HOLMAN** Mr. Holman responded that he would include that candidate but make no recommendations.
- GURRERI** Mr. Gurreri commented that the men who had submitted their names were good ones. People seem to drop off that Board quickly and Mr. Gurreri thought it might be because they feel they just don't have much say. He thought each one should be approved. He asked when the next meeting would be.
- BOWDERS** Mrs. Bowders indicated it is the third Monday of each month.

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**HOLMAN** Mr. Holman noted that the Board will meet again before Park & Rec has its next meeting.

**SCHENCK** Chairman Schenck asked for a complete docket of everyone interested to act on at the next meeting.

**GURRERI** Mr. Gurreri commented that it was great to have so many people interested in serving on this Board. They should not be made to wait so long to get an answer.

14. **ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:10 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 8, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 8, 2004 at 7:05 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak  
Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
Dave Wendel, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m.

**A. Opening Ceremony**

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there were no Executive Sessions held.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

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**SCHOBER** Mr. Schober reported that paperwork had continued with EPA and the Corps of Engineers in order to make the final grant application payment under the Grant Administration Program. This will take advantage of the 10% monies withheld on the original projects and the new \$100,000 money recently awarded.

**HOLMAN** Mr. Holman indicated that the news media had covered the receipt of the grant monies and the plant tour, at which time he had explained the Wastewater Treatment grant and Technology grant received thanks to Buchart Horn and Mark Hodgkinson. The grant money will enable the Township to move forward on the edge of technology with regard to removal of bio-solids from the waste stream effluent sent to the creek. Currently all standards are met, but this will allow those standards to be exceeded.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated that he had submitted his report on April 1; however, he wanted to correct an item regarding an intersection of North Sherman and Druck Valley, which should have read, “intersection of North Sherman and Ridgewood Road.” A citizen had come forward with regard to the accidents, and Chief Eshbach provided the accident report to him which will be forwarded to PennDot.

Mr. Luciani reported that during a developer’s meeting Kinsley had discussed the Motter Residential development. They had presented a sketch plan to discuss the geometry of the roadway from Locust grove to the east side at Stonewood Road. The ordinances call for that roadway to be a local collector road, which means it must be a 36-foot wide roadway. Kinsley’s concern is that, because Eastern Boulevard has plantings in the middle in other areas, they wanted assurance that the Board did not expect to see islands in the middle of the street. Mr. Lauer prefers not to have the islands due to intense maintenance/mowing. The geometry shown is a 36-foot wide cartway, which would meet the ordinance. Unless he heard to the contrary concerning the islands, they will continue on that path.

**SCHENCK** Chairman Schenck recalled a meeting where the options had been discussed. He thought they had been given a direction.

**LUCIANI** Mr. Luciani stated that he was not sure whether it had been a majority of the members of the Board who felt that a paved cartway 36 feet wide would be acceptable. Technically, if they do that, the Ordinance requirements are met. The previous minutes did not reflect a conclusive decision.

**BOWMAN** Mr. Bowman recalled the discussion about the islands.

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- SCHENCK** Chairman Schenck recalled discussion concerning what could be done that would be effectively the same cost to Kinsley. There was discussion about curbing and whether the inserting of grass offset the cost of curbing to create the medial strip/divider. He could not recall the conclusion.
- LUCIANI** Mr. Luciani stated that there had been no conclusion, and Kinsley wanted specific direction.
- SCHENCK** Chairman Schenck thought that the consensus was to have something in the middle.
- BOWMAN** Mr. Bowman agreed concerning having the islands. .
- BISHOP** Mr. Bishop indicated he did not recall any consensus.
- GURRERI** Mr. Gurreri indicated he remembered discussing the islands, but did not remember the conclusion.
- HOLMAN** Mr. Holman commented on the matter of maintenance management and plowing, Mr. Lauer advised they could be put in later if desired, or have the contractor install them now.
- SCHENCK** Chairman Schenck indicated that there is a need to provide Kinsley clear direction of the Board's expectations.
- HOLMAN** Mr. Holman suggested to schedule a presentation for the next meeting of the Board in order to review documents with discussions from meetings and have Charlie Lauer and the contractor present to make comments.
- BAUGH** Mr. Baugh stated that the project will be a Briefing Item during the next Planning Commission meeting.
- SCHENCK** Chairman Schenck asked that it be handled as a Briefing Item with the Planning Commission. Chairman Schenck would prefer to see it presented as options.
- LUCIANI** Mr. Luciani offered that it is a 36-foot wide roadway, which would be expensive, and if they are to put the islands in and eliminate some of that paving requirement in that area, that might reduce the cost and be a trade off.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 8, 2004**

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**GURRERI** Mr. Gurreri asked about an item noted for Central School District in the amount of \$13,000 in lieu of taxes. He asked Mr. Holman to respond.

**HOLMAN** Mr. Holman indicated he would review the item and respond to Mr. Gurreri next week.

**MR. GURRERI MOVED FOR APPROVAL OF REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF APRIL 8, 2004. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Bid Award to WSBA-WARM-WSOX for the Exclusive Rights to Promote and Market the Springettsbury Township Concert Series for the 2004, 2005, and 2006 Season – Base Bid Amount per year is \$10,500 and Alternate 1.**

**HOLMAN** Mr. Holman stated that an advertisement had been submitted for bid toward working with a media outlet to help advertise and generate support for both the Summer Concert Series and Saturday In The Park. One bid was received from WSBA, WARM, WSOX. They would pay the Township for rights to the advertisement, \$10,500 plus a percentage of the revenues, 13% up to \$50,000, 15% for \$50,001 to \$75,000, and over \$75,000, 17% of the gross revenues in addition to the \$10,500. In addition, there was a bid alternate for Saturday In The Park, for which the gross revenues would be divided evenly 50/50 between the radio stations and the Township. Exempted from the program were the current sponsors from previous year's events, in order to work with them separately, or work with them in conjunction with the radio station. The unusual thing about this is that the Township will be paid by the radio station for the marketing, and they will be helping the Township market and advertise both the Summer Concert Series and Saturday in the park, which should bring the cost down to the taxpayers for these events. Mr. Holman stated that, at this point if the contract is awarded, already the Township is ahead of last year's numbers for collections for the Summer Concert Series in the sense that a non-profit business has already provided funds to award. That is an exemption in this contract. The Township automatically will be paid \$10,500, which was the amount collected last year for the Summer Concerts. This will provide this media the exclusive rights to market in conjunction with the Township for the programs in the park. There are certain restraints, such as there can be no adult advertising in accordance with the statutes. Solicitor Rausch has reviewed that. There is an option to renew it for the next two years if both sides of the agreement concur for renewal. Mr. Holman introduced Mr. Rich Delancey, representative of WSBA.

A synopsis of the discussion follows:

- Revenues for Saturday In The Park – WSBA collects and reports. Township receives 50% of the gross revenues for the advertising. Revenues could potentially double for the 2004 season.
- WSBA had participated and contributed significantly during the 2003 Saturday In The Park
- Summer Concert Series will be WSBA’s major summer promotion with over 1,000 commercials on all three stations. Over 298,000 people will hear commercials 97 times each summer.
- WSBA will provide promotion staff during the events with live broadcasts each night.
- The 17402 zip code area is WSBA’s most important audience.
- WSBA hopes to make this an annual tradition with a renewable agreement.
- Sponsors from last year are an exception and have the option to renew their sponsorship and not be involved with the radio station. New sponsors will be directed to WSBA.
- Springettsbury Township does not have the expertise or the time to market these activities.
- Funds received go toward offsetting costs. Additional funds are dedicated to go towards improvements, maintenance and Phase II of the park thereby relieving taxpayer’s burden.
- The contract specifies that there will be no adult entertainment, beer, alcohol contained in ads, only good quality community-oriented business.
- Springettsbury Township will receive a list of all sponsors and the ads.
- Attendance was at or near capacity at almost every concert held during the 2003 season.

**SCHENCK** Chairman Schenck stated that this was a creative and interesting public/private/government partnership.

**DELANCEY** Mr. Delancey stated that WSBA, WARM and WSOX are very pleased to be serving the Township in this way and look at it as an honor.

**SCHENCK** Chairman Schenck indicated that the Agenda item would be acted upon at this time rather than later as scheduled.

**B. Resolution No. 04-43 – Summer Concert Series Promotional Plan**

**MR. BISHOP MOVED TO AWARD THE BID FOR EXCLUSIVE RIGHTS TO PROMOTE AND MARKET THE SPRINGETTSBURY TOWNSHIP CONCERT SERIES FOR 2004-2005-2006 SEASON TO WSBA, WARM AND WSOX – BASE BID AMOUNT OF \$10,500 WITH ALTERNATE 1, AND ALSO MOVE FOR THE ADOPTION OF**

**RESOLUTION 04-43 SUMMER CONCERT SERIES PROMOTIONAL PLAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**BAUGH** Mr. Baugh stated that SD-03-10 Pleasantrees residential development is located at Pleasant Valley Road and Alpine Road and includes R1, R2 and R3 residential districts. The property currently is an idle wooded lot of 34-1/2 acres. Mr. Baugh provided background information as detailed in his April 1, 2004 memorandum to the Board. Springettsbury Township Planning Commission had recommended approval of the plan with certain modifications and conditions. Staff recommended granting the waiver and modifications and approval of the plan with one outstanding item.

**SCHENCK** Chairman Schenck asked for further identification of Pleasant Acres Road. He commented on a previous concern about the amount of wetlands and storm water. He asked whether there was a comfort level with what is proposed based on those concerns.

**BAUGH** Mr. Baugh responded that an additional wetland study indicated that the wetlands had been re-designated and outlined. The park land area no longer is considered a wetland.

**SCHENCK** Chairman Schenck asked how a wetland boundary could change.

**BAUGH** Mr. Baugh responded that it was re-defined by new surveys and what plants and wildlife, etc. are in those wetlands.

**SANDMEYER** Mr. Bob Sandmeyer, Site Design Concepts, indicated that the original wetland delineation was done back in the early 90's. He provided some history on wetlands, and that was when, throughout the whole U.S., there was a big discrepancy on the wetland definition. The Federal Government was very strict on the definition of wetlands, so they actually took everything as a wetland. They re-evaluated their wetland requirements and delineations and then relaxed it further. Following the re-submittal of this project under a recommendation of the Conservation District it was re-established. There are approximately 2,000 square feet of wetlands on the property now as opposed to five to six acres originally. Basically what was wetland delineated a long time ago also included streams waterways and ponds. Currently they do not designate that as a wetland. That is considered waters of the Commonwealth, ponds and streams and not wetlands and was considered part of the re-designation process. Also mentioned were vegetations, soils, etc. which were also re-evaluated. The park land does not have any wetlands.

**SCHENCK** Chairman Schenck asked whether that was a documented process/study.

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- SANDMEYER** Mr. Sandmeyer responded that the delineation report was just completed and will be finalized for Mr. Luciani and Mr. Baugh's files.
- SCHENCK** Chairman Schenck indicated that would be an important document for the Township to make part of the record for this plan. He asked about the sidewalk planning.
- SANDMEYER** Mr. Sandmeyer pointed out the areas of the new road system with the curbing and sidewalks. They will have sidewalks on the south side of the existing Pleasant Valley Road. They asked for the six-month note on the north side of Pleasant Valley Road. The reason for that is due to the cuts, fills, road slopes and embankments of that steep slope area, which will not allow a four foot grass strip plus sidewalks. Along Alpine Road they had been granted a waiver during the early 1990's from curbs and sidewalks.
- SCHENCK** Chairman Schenck wondered whether anything had changed in that area where the plan would create a sidewalk empty spot if sidewalks were waived over 10 years ago.
- BAUGH** Mr. Baugh stated that the applicant was not required to put that note in; it was a recommendation from the Planning Commission and the applicant agreed to add the note. There may be an empty spot, but again with the six-month note if it is a problem, then the Township can step in and require the sidewalks.
- SCHENCK** Chairman Schenck asked whether any new development had occurred since the note was put on where there are sidewalks, which would come to a stop.
- BAUGH** Mr. Baugh responded that there are no sidewalks that go toward the Hellam Township side, but there are some sidewalks on the Springettsbury side.
- SANDMEYER** Mr. Sandmeyer indicated the only sidewalks are the Arbor Lane part of this project, Phase III. Further west in the Century Woods development there are sidewalks, which stop at Phase III, but there are at least six to eight properties in between.
- BAUGH** Mr. Baugh commented that the current ordinance requires sidewalks if there were existing sidewalks within 1,200 feet.
- BISHOP** Mr. Bishop asked a mechanical question on that issue. He indicated that there is a note on the plan that references the sidewalk waiver that was granted previously. And then there's a subsequent note that is our six-

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month note. Mr. Bishop's concern was that there might be a question of which note would control the matter.

**BAUGH** Mr. Baugh responded that it would be a legal question. The applicant has agreed to sign the eliminated note, number 19.

**GURRERI** Mr. Gurreri asked where the sewer would be placed in the development.

**SANDMEYER** Mr. Sandmeyer pointed out the location of the sewer on the drawings, and added it would proceed down through existing properties and connect on Arbor Lane.

**GURRERI** Mr. Gurreri asked whether any sewer would be located on Pleasant Valley.

**LUCIANI** Mr. Luciani responded that the sewer will be extended on Pleasant Valley.

**SANDMEYER** Mr. Sandmeyer added that the sewer would be taken up the new street, up Pleasant Valley Road and then dead ending at one point for future connection.

**GURRERI** Mr. Gurreri asked whether the residents in that area could then hook up to the sewer.

**SCHENCK** Chairman Schenck commented that the line would not front their properties at this point.

**BISHOP** Mr. Bishop referred to the six-month note. He commented that the Township had never required a resident to put sidewalks in after the fact. He asked who would be required to install sidewalks, provided more development were to take place along Alpine and sidewalks were warranted.

**BAUGH** Mr. Baugh responded it would be the responsibility of the current property owner.

**BISHOP** Mr. Bishop stated he would not like the idea of asking an individual homeowner to spend thousands of dollars to put sidewalks in.

**BAUGH** Mr. Baugh commented that all of the six-month notes have been the same situation. Whoever the owner of the property is at the time the notice is issued would be the one that is required to put in the sidewalks.

**SCHENCK** Chairman Schenck commented that, although developers will say differently, it always seemed to be due to economics. There are reasons, such as a slope, no nearby sidewalks, etc. The Township has an ordinance

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requiring sidewalks and for a very good reason. When an individual purchases a property, a good title search company will report the six-month note about sidewalks. He would not like to be a new homeowner who, three years later, is advised by the Township to put in sidewalks. He personally had observed a tremendous amount of people walking in spite of what developers say.

**BAUGH** Mr. Baugh noted that sidewalks had been required on the new plans received.

**SCHENCK** Chairman Schenck stated that, if the sidewalks are to be waived, the Township should receive the money for it so that in the future when it is needed it can be put in and not at the homeowner's expense. The developer should be putting them in as part of the deal.

**BAUGH** Mr. Baugh noted that with this specific plan, it is not a requirement. The developer volunteered it.

**HOLMAN** Mr. Holman offered to work with the Planning Commission and Stacy MacNeal to prepare a recommendation with regard to a change in ordinance much like in the recreation area. There would be a potential sidewalk fee for sidewalks not put in, but whether or not it gets put in will still be up to the Board. If the Board then decided to do the six-month note, then the cost of that sidewalk then would go into a fund specifically earmarked for sidewalks.

**SCHENCK** Chairman Schenck agreed with his suggestion. He commented that often the topography won't allow for sidewalks; yet, a developer would not hesitate to move tremendous amounts of soil in the middle of their project, but can't fix that last little four feet along the road. Chairman Schenck added that these comments were not directed at this particular developer.

**BISHOP** Mr. Bishop agreed. However, he was not sure that getting the money would be the solution. He recommended that, if the Board indicated that sidewalks made sense, then sidewalks should be made part of the development.

**KAUFFMAN** Mr. Brian Kauffman indicated he is a resident of the Pleasantrees area. He thought sidewalks would be warranted inasmuch as there is a lot of current pedestrian traffic along that stretch of road. In addition, due to the woods in the area, it is difficult to see pedestrians walking at the beginning and end of the day. He thought sidewalks would be good along Pleasant Valley.

**SANDMEYER** Mr. Sandmeyer stated that sidewalks are to be added along the south side of Pleasant Valley.

**SCHENCK** Chairman Schenck asked for any further public comment. Hearing none he called for a motion.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 03-10, PLEASANT TREES I AND II WITH THE FOLLOWING WAIVERS:**

- **SUBMISSION OF PRELIMINARY PLAN;**
- **MODIFICATION OF THE STORM WATER BASIN SLOPE TO ALLOW A LESS THAN 4 TO 1 SIDE SLOPE ON LOT 7 AS SHOWN ON SHEET 4, DATED FEBRUARY 11, 2004;**
- **POST A FINANCIAL SECURITY IN THE AMOUNT OF 110 PERCENT OF THE COST OF REQUIRED IMPROVEMENTS FOR THE PROJECT, INCLUDING PROPERTY CORNERS PRIOR TO PLAN RECORDING. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop asked that the motion include the notation that Note 19 be removed from the plan.

**MR. GURRERI ADDED THAT NOTE 19 IS TO BE REMOVED FROM THE PLAN. MR. DVORYAK, AS SECOND, AGREED. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported he received a report from the York County Commission of 100 people who are working on the Rusk report to try to address the issues of diversity, land use and economic development.

**BOWMAN** Mr. Bowman reported he received a comment from a resident complaining about the odor from the Wastewater Treatment Plant. He stated that Mr. Hodgkinson had helped to relay information to the resident. The resident mentioned that several times a year the odor is greater than others, and he had hoped the grant money might be going towards the elimination of odors.

**SCHOBER** Mr. Schober responded that everything being done will help. One of the main problems at the plant is the lack of non-oxygen with biological activity. That lack of oxygen creates foul odors. Every project being done is reducing the amount of solids and increasing the amount of oxygen. It probably will not eliminate all of the odors but will help with reductions in the frequency of the problem.

**BOWMAN** Mr. Bowman added that the resident was under the impression that when compost is moved is when the odor is worse.

**SCHOBER** Mr. Schober responded that it would be worse on specific days when the wind direction is just right and the atmospheric conditions are ideal.

**GURRERI** Mr. Gurreri reported he had received some complaints from residents about run down properties in the Township. He was aware that the staff had been working on the issues, but he encouraged an aggressive effort toward the solutions.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that he had nothing further to add to his written report. He had provided a memorandum to the Board for review concerning some policy decisions to be made.

**HOLMAN** Mr. Holman added that he will be meeting with Chief Eshbach, Charlie Lauer and with the Solicitor to review the recommendation for discussion during the next meeting.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that, in addition to his written report, a PSATS Building Code Official Training session was held on April 7, 2004. Most of the Township's development staff attended and took the test, as one of the final steps in moving forward with the State Uniform Construction Code. Mr. Holman reported that he had sent an email to the Board with regard to an appointment to the Rec Board. He had not sent the resume and letter. He'll be forwarding it for action at the next meeting.

**SCHENCK** Chairman Schenck reported that an announcement had been received that the President of the United States would be at the State Convention. He asked whether the Board members had been registered.

**BOWDERS** Mrs. Bowders responded that the Board members had been registered.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-41 – Liquor License Transfer – GNK, Inc. t/a George's Pizza.**

**SCHENCK** Chairman Schenck stated that a Public Hearing had been held earlier during the evening.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-41 LIQUOR LICENSE TRANSFER GNK, INC. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-42 – MPOETC Training Grant**

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**SCHENCK** Chairman Schenck stated that the Resolution covers a training grant for the police department.

**HOLMAN** Mr. Holman stated that Springettsbury Township Police Department is sponsoring the application for the grants in order to be a pass-through in sponsoring the application for the grant. As a result, two police supervisors can be trained cost free. This is being done in support of Municipal Police Officer Education Training Commission, and will more than pay for itself if the grant is awarded. .

**SCHENCK** Chairman Schenck asked whether the money would be coming from the state.

**ESHBACH** Chief Eshbach responded that the funds come from the Pennsylvania Chiefs of Police Association, which sponsored the training. Because they are a law enforcement entity, they can't specifically apply for the grants, so they have to use another police department as a pass through agency.

**MR. DVORYAK MOVED FOR ADOPTION OF RESOLUTION 04-42, THE MPOETC TRAINING GRANT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing – March 25, 2004**

**MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS PUBLIC HEARING MARCH 25, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Board of Supervisors Regular Meeting – March 25, 2004**

**MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS REGULAR MEETING MARCH 25, 2004 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**SCHENCK** Chairman Schenck noted that Mr. Holman had some communication with EPA concerning the Tree Farm, which will be used as originally intended.

**14. NEW BUSINESS:**

There was no New Business for discussion.

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**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:05 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**APRIL 8, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, April 8, 2004 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:45 p.m.

**2. NEW BUSINESS:**

**A. Transfer of Pennsylvania Liquor License No. R-12759 to GNK, Inc. t/a George's Pizza.**

**SCHENCK** Chairman Schenck explained the purpose of the Public Hearing, which would receive public comment on an application for the transfer of a Pennsylvania Liquor License from another township into Springettsbury Township. He asked Solicitor Rausch to explain the application.

**RAUSCH** Solicitor Rausch stated that the application had been received for a liquor license from GNK, Inc. trading as George's Pizza. The applicant was represented by Attorney Barbara Darkes.

**DARKES** Attorney Darkes explained that the application currently is held by a facility in the City of York. Mr. Karandrikas owns a current establishment known as George's Pizza, which serves pizza, subs, etc. He would like to move the liquor license into his facility in order to serve alcohol, as well as offer six-pack carry outs to go. The property is located at 3609 East Market Street, York, formerly occupied by a Friendly's Restaurant.

**RAUSCH** Solicitor Rausch asked whether the location would have a bar.

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**DARKES** Attorney Darkes responded that there would not be a bar but simply eat-in at the existing tables and carry out. She noted that Mr. Karandrikas owns other facilities in York County, which are licensed and is experienced in liquor license operation.

**RAUSCH** Solicitor Rausch asked whether the LCB would process the application.

**DARKES** Attorney Darkes responded that, pending approval of the Resolution by Springettsbury Township, the application would then be forwarded to the LCB within the next week.

**SCHENCK** Chairman Schenck asked for questions from the Board. He commented that he had visited George's Pizza on Queen Street and East Market Street. He asked whether it would be a similar arrangement for the carry-out beer.

**KARANDRIKAS** Mr. Karandrikas responded that it would be similar.

**SCHENCK** Chairman Schenck asked whether there were any comments or questions from the public, but none were voiced.

**HOLMAN** Mr. Holman stated that there had been no public comment received in writing or by telephone during the term of the notice posting.

**SCHENCK** Chairman Schenck asked how the notice was posted.

**HOLMAN** Mr. Holman responded that the notice was posted at the property, and was advertised as well.

**DARKES** Attorney Darkes added that they had posted it at the facility as well.

**SCHENCK** Chairman Schenck stated that the Resolution would be acted upon as a stated Agenda item during the regular meeting of the Board of Supervisors.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:05 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 25, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular meeting on Thursday, March 25, 2004 at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
David Wendel, Director of Parks and Recreation  
Andrew Stern, Assistant to the Township Manager  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:15 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees. He asked for a moment of silence for Blaine Ruby, who passed away. He had been a Supervisor of West Manchester Township and a dedicated community servant. He introduced Reverend Dean Jargen of Covenant Moravian Church, Cape Horn Road, to provide a blessing.

**JARGEN** Reverend Jargen prayed a prayer of blessing for the meeting.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there had been an Executive Session at 6:30 p.m. regarding legal issues surrounding the recent ACLU action.

**3. COMMUNICATION FROM CITIZENS:**

**REED** Mrs. Lauren Reed, 462 English Way, spoke as a representative of a group of citizens from her neighborhood who is seriously concerned about the location of the Pyramid Methadone Clinic. She had heard there had been more activity surrounding the clinic, and she wanted clarification from the Township. She stated that the citizens are not opposed to the clinic being in the Township, but rather are concerned with the location that is being considered by Pyramid Health Care. These locations have the potential to expose more children to heroin. Their concern is that the center would be placed close to day care centers, schools and young neighborhoods. They also firmly believe that the clinic will change the character of their neighborhood. She asked the Board if they could help Pyramid find a more suitable location. The neighbors have some financial resources and are considering obtaining counsel but hope to work together with the Township to find another solution.

**SCHENCK** Chairman Schenck responded that some information had been made available. He asked Mr. Holman to respond.

**HOLMAN** Mr. Holman stated that there had been a meeting with Pyramid Health Care, the Zoning Officer and staff. A sketch plan had been submitted. He asked Mr. Baugh for further information.

**BAUGH** Mr. Baugh reported that the proposed location of the plan is the southeast corner at the intersection of Stonewood and East Market Street across from McDonald's. The Land Development elements of their sketch plan had been discussed. The site is mostly industrial, yet it is zoned Commercial Highway. There are some residential units beginning behind the McDonald's, but not in the immediate area. The Township had advised them that a medical clinic would not qualify for use in a Commercial Highway Zone. They contend that it is a business service, which includes doctor's offices, but the application stated that it is a medical clinic, which is not allowed in the Commercial Highway Zone.

**SCHENCK** Chairman Schenck asked whether that was specific by definition or a vague item.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 25, 2004  
APPROVED**

- BAUGH** Mr. Baugh responded it was specific by definition. He added that they further had been advised that, because it is within 500 feet of a day care center and church that an Act 10 hearing would be required. They will notify the Township by April 6 as to whether they wish to proceed at the Planning Commission level or whether they would like to apply for a variance or drop the application.
- RAUSCH** Solicitor Rausch asked where medical clinics would be allowed.
- BAUGH** Mr. Baugh responded that medical clinics are allowed in Apartment Office, the Flex Zone Commercial and several other zoning districts.
- SCHENCK** Chairman Schenck stated that the first issue would relate to zoning, which indicates there are designated areas where certain types of facilities and activities can occur. That particular spot is zoned Commercial Highway, in which zone does not allow by ordinance a medical clinic, which is what they asked for in their application. That will be subject to debate. The Township is governed by laws, as well as makes laws, but the law says that if a clinic is not allowed that's the end of the issue. However, it is not unusual for an applicant to challenge us.
- HOLMAN** Mr. Holman stated that the applicant has the option to appeal the Zoning Officer's decision or they can apply for a variance before the Zoning Hearing Board. They could go to the Planning Commission for a preliminary review, but would still have to go to the Zoning Hearing Board.
- SCHENCK** Chairman Schenck added that they could appeal the Zoning Hearing Board decision or they can apply for a variance. State law is the Act 10, which refers to the Pennsylvania state regulations specific to methadone clinics that have extra criteria they have to meet outside of Township jurisdiction.
- HOLMAN** Mr. Holman indicated that the Board of Supervisors holds the Act 10 Hearing. Mr. Holman had been working with Stacey MacNeal as far as what would take place at that time. The applicant would be required to notify anyone who owns property within 300 feet of the site. The Board takes evidence at that hearing and input from anyone who would like to speak with regard to the application. The Board considers that as part of their review to see whether or not they would approve.
- SCHENCK** Chairman Schenck asked whether the Act 10 hearing would be one in which there is validity to the testimony.

**RAUSCH** Solicitor Rausch responded that within the Act 10 hearing, the Board would have the authority to waive the requirements if it is in the best interest of the public. Chairman Schenck asked whether the Township could help them find another suitable location.

**HOLMAN** Mr. Holman stated that Mr. Baugh had reviewed the areas with the applicant where it would be allowed.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that the Eden Road Interceptor project had been finalized, as well as everything with the Fabie developer toward getting the pipeline through their property. Rights-of-way are being prepared to describe the pipeline through that property for the purpose of allowing the Township to build the interceptor in advance. Major equipment had been reviewed and approved for fabrication regarding the Bar Screen and Septage Receiving project. Delivery of that equipment is expected by the end of April. The Contractor indicated he will be on site as early as the week of March 29th.

**SCHENCK** Chairman Schenck asked for clarification on information in the Grants Summary.

**HOLMAN** Mr. Holman responded that an application had been submitted to Senator Specter's office under the Federal Grant Program about the nutrient reduction system.

**SCHOBER** Mr. Schober added that this would be new money but no specific amount.

**HOLMAN** Mr. Holman stated that the advice given was to request the full amount.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani reported that he and Mr. Holman met with 60% of the property owners along Sheridan Road. They received a generally favorable reception to obtain right-of-way. Sheridan Road is an 18-foot paved road, and the right-of-way is only 23 feet wide. The proposal would be to require about 50 to 60 feet of right-of-way some tree removal. A few of the property owners were somewhat acceptable to it. Central High School had proposed a detour, for

which one of the legs of that detour goes through Sheridan Road. Mr. Luciani explained to the property owners that the Township's urgency is to try to get these improvements done prior to that detour going into place and during 2004. Legal descriptions will be written and submitted to the property owners.

**GURRERI** Mr. Gurreri asked about the drainage along Eastern Boulevard. He asked for an updated status report.

**LUCIANI** Mr. Luciani responded that Mr. Lauer wanted to overlay the street. He had put curb on Eastern Boulevard up to where the project was done last year. Mr. Lauer proposed to install the drainage systems before doing the overlay work. The work is being priced, and those prices will be presented to Mr. Holman for approval. Fortunately, Mr. Lauer will be able to do that work with his crews.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of March 25, 2004**
- B. Johnston Construction Company – Solids Handling Project – Application for Payment No. 16 in the amount of \$55,000.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Authorization to Purchase Park Equipment for Springetts Oaks Park and Rockburn Park – Purchase Order No. 1163 in the amount of \$16,037.42**

**SCHENCK** Chairman Schenck stated that the item is on the state contract and as a result, there are no bidding requirements. He asked from what account the funds would be drawn.

**WENDEL** Mr. Wendel responded the funds would be drawn from the Capital Budget.

**BISHOP** Mr. Bishop clarified that he was referring to the Springettsbury Township Capital Budget and not Recreation reserve funds.

**WENDEL** Mr. Wendel stated that would be considered District II and District III, and no funds are available to cover those costs.

**HOLMAN** Mr. Holman stated he had been working with Mr. Wendel on the project. He offered to double-check the funding, but it had been funded under the Capital Budget this year.

**WENDEL** Mr. Wendel added that there are very limited funds in the Recreation Subdivision.

**MR. DVORYAK MOVED TO AUTHORIZE THE PURCHASE OF PARK EQUIPMENT FOR SPRINGETTS OAKS PARK AND ROCKBURN PARK, PURCHASE ORDER NUMBER 1163 IN THE AMOUNT OF \$16,037.42. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Leon Wintermyer, Inc. – Eastern Boulevard Traffic Improvements Phase I – Change Order Request in the amount of \$16,641.83**

**HOLMAN** Mr. Holman stated that a Change Order request had been received in the amount of \$48,159. Mr. Luciani and Mr. Lauer had been working on this since December. That Change Order had been reduced by \$32,122, resulting in the amount of \$16,641.83. Most of the changes had to do with additional depth required for some of the manholes and receiving stations, as well as some pipe that was ordered and subsequently had to be changed. The pipe was kept in stock at Public Works and will be used. The pipe itself is worth approximately \$4,000. The other \$16,000 related to on-site items.

**LUCIANI** Mr. Luciani added that there were no as-built drawings, and there was a storm line that connected to Market Street. The storm line actually ran right along the curb. They actually curved the line and put that line right behind a fiber-optic line. They were unable to connect to the fiber optic line so changes had to be made to a lot of things in the field to make that work. That required the contractor to pour a concrete box in place as well as scrap the box. Because it was necessary to go over the top of this fiber optic line, instead of using the 18-inch concrete pipe, a cast iron pipe had to be used just to get over the top of it, so those things changed. Mr. Holman was involved in the negotiations. They were looking for some extra paving which the Township did not feel was warranted. The Change Orders are strictly related to utility conflicts of which we were unaware.

**GURRERI** Mr. Gurreri indicated he thought Mr. Luciani and Mr. Lauer did a good job on this project.

**BISHOP** Mr. Bishop commented that part of the problem was that there were no as-built drawings. He asked whether better drawings are currently in the Township's possession based on the information learned.

**LUCIANI**

Mr. Luciani responded that he could not respond going into the next phase. Looking at a manhole one assumes it connects from point to point, which would be the best possible scenario. The existing drawings were marked up as as-builts after the contract. One of the procedures is to keep a CD record in the Township archives so that 25 years from now the information can be retrieved.

**MR. GURRERI MOVED TO APPROVE LEON WINTERMYER, INC. EASTERN BOULEVARD TRAFFIC IMPROVEMENTS PHASE I – CHANGE ORDER REQUEST IN THE AMOUNT OF \$16,641.83. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Award Bid for General Construction, Inc. in the amount of \$993,224.**

**HOLMAN**

Mr. Holman stated that item C is an authorization to award the bid to Kinsley Construction in the amount of \$993,224. A grant in the amount of \$1,250,000 was received from the Governor's Economic Development office for relocation of Eden Road through the assistance of Harley-Davidson and the efforts of Andrew Stern, who deserved a lot of credit for working this project to this point. A meeting to review the bids was held with Harley. Under the contract with Harley, since it is under the budgeted amount, one change was requested in that an Add Alternate Number 2 be added, which is the cleaning and flushing of an out fall pipe at the southwest corner in the amount of \$2,863 which would make the total contract \$996,087. Other Add Alternates are being reviewed, and Harley is reviewing Add Alternates 5 and 6, which are strictly Add Alternates that Harley would want in order to make sure that they move as much water as possible off the parking lot for their property. That would be their expense and they will be back in touch with the Township concerning that. In order to get the project moving forward, Mr. Holman recommending that the contract be awarded for a total of \$996,087, which includes Add Alternate 2. Meetings will be held with Harley on a monthly basis. This action reveals what a public/private cooperative venture can do, and will get the Township a brand new Eden Road; take the safety problems out of the way where Harley is bisected from its parking lot making a safer operation. Completion is expected by November 15<sup>th</sup>.

**SCHENCK**

Chairman Schenck recalled the very first meeting with Harley concerning this project. He indicated it was impressive how everything came together.

**MR. DVORYAK MOVED TO AUTHORIZE TO AWARD THE BID FOR GENERAL CONSTRUCTION FOR THE EDEN ROAD RELOCATION PROJECT TO KINSLEY CONSTRUCTION, INC. IN THE AMOUNT OF \$996,087 INCLUDING ADD ALTERNATE NUMBER 2. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-03-10 – Pleasantrees – Time Extension to 4/30/04**
- B. SD-03-11 – Gary Wesner – Time Extension to 5/31/04**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR ITEMS 7A AND 7B ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Windsor Township Sewage Planning Module – A3-67966-367-3 (Stanczyk Tract Plan) – Action**

**BAUGH** Mr. Baugh stated that the proposed Stanczyk Tract Plan development plan in Windsor Township would create 84 residential lots to be sewered by the Springettsbury Sewage Facility. The EDU's have been included in the Chapter 95 report, and staff recommended approval of the sewage module.

**MR. GURRERI MOVED TO APPROVE THE WINDSOR TOWNSHIP SEWAGE PLANNING MODULE A3-67966-367-3 – STANCZYK TRACT PLAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BAUGH** Mr. Baugh pointed out that the Township will be hosting a Building Code Official Training on Wednesday, April 7, as required by the new UCC. People will be here from many townships in York and Lancaster County.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri stated it was very good to see the flashing light at Haines Road and 7<sup>th</sup> Avenue. He noticed that the street light at Lynwood and Edgewood was put up last Friday. He was pleased at how quickly that was done thanks to Charlie Lauer.

**SCHENCK** Chairman Schenck added that he had noticed the street light on Edgewood. He commented that it is right above a tree, which is bare right now. He wondered what would happen when the leaves come out.

**HOLMAN** Mr. Holman offered to make sure the tree is trimmed.

**GURRERI** Mr. Gurreri recalled an earlier discussion about a young lady who talked about doing flowers in the park. She does work at Heritage Hills and does such a great job. Mr. Gurreri thought it might be worthwhile to have her come to a meeting and tell the Board what she does. It might be something the Township would be interested in doing in the park.

**HOLMAN** Mr. Holman indicated that she had been scheduled to meet with the Park and Rec Board and then scheduled to meet with the Board.

**SCHENCK** Chairman Schenck stated he thought having the individual meet with the Park and Rec Board first would be an excellent way to handle it.

**HOLMAN** Mr. Holman reported that Mr. Wendel had been working on interviewing the prospective Board members, but also the Rec Board is ready now to meet with additional people, having just finished the Rules and Regulations for the Park and a number of other issues.

**BISHOP** Mr. Bishop reported that the Saturday in the Park Committee met under Mr. Wendel's leadership. Plans are moving along well. There is still the hope that to piggyback the sponsorship and some of the marketing relationships the Township is hoping to set up for the Summer Concert Series. Plans are for a much expanded and great event on October 2, 2004.

**9. SOLICITORS REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing further to add to his written report.

**BISHOP** Mr. Bishop asked whether there was any change in the Fire Company matter.

**RAUSCH** Solicitor Rausch indicated he was waiting for a decision from the Fire Company.

**HOLMAN** Mr. Holman stated he had spoken with Mr. Astor. He will be bringing it for action. As soon as he knows that he will advise Solicitor Rausch so he can update the report.

**SCHENCK** Chairman Schenck indicated that April 5 he will meet with the Fire Company, and he will ask about the Fire Company deed.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that a meeting was held of the working group on the Comprehensive Plan, which included Jim Baugh, Stacy MacNeal, Andrew Stern, himself and Terry Markley. They have completed a draft of the Request for Proposals. The draft will be forwarded to the Board of Supervisors, the Planning Commission, to Pennsylvania State and the County Planning Board for comments and review. He thanked all the members who worked on that, especially Erika Belen in Mr. Baugh's office, who was the driving force in getting it all typed up and ready for each and every meeting. They are looking for names from the Board. They have some for an ad-hoc committee made up of various citizens and members of different occupations so that there can be a full public process with regard to the Comprehensive Plan. He indicated that the draft RFP looked very good and will be sent to the Board in his next report.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-04 – Revising Subdivision and Land Development Ordinance Relating to Street Design.**

**MR. BISHOP MOVED TO ADOPT ORDINANCE 04-04 REVISING SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATING TO STREET DESIGN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 04-05 – Revising Subdivision and Land Development Ordinance Relating to Plan Requirements and Processing Procedures, and Street Design.**

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 04-05 REVISING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATED TO PLAN REQUIREMENTS, PROCESSING PROCEDURES, AND STREET DESIGNS, ETC. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-40 – Army Corps of Engineers Codorus Creek Levy Restoration Contract**

**SCHENCK** Chairman Schenck asked for clarification as to whether the Resolution related to law enforcement matters.

**HOLMAN** Mr. Holman responded that he was correct. The Resolution is to enter into an agreement with the Army Corps of Engineers to

provide police services along the levy. The Corps will reimburse the Township for all costs. Chief Eshbach had put the contract together and reviewed it.

**SCHENCK** Chairman Schenck recalled that the Township had a previous agreement, but wondered whether this would be considered an update.

**HOLMAN** Mr. Holman responded that he was correct. They are attempting to develop a multi-year contract. However, because the Township will be entering into a new contract cycle with the police, following adoption a review will be made toward entering into a multi-year agreement.

**ESHBACH** Chief Eshbach stated that over the 2003 year the police had not provided services.

**SCHENCK** Chairman Schenck observed that the police enforcement over that previous two-year period solved the problem.

**ESHBACH** Chief Eshbach responded that it had curbed the problem quite a bit. The big issue was with erosion control with the levy, and there was quite a bit of difference when the erosion was stopped.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-40, AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SPRINGETTSBURY TOWNSHIP. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – March 2, 2004**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION MARCH 2, 2004. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Regular Meeting – March 11, 2004.**

**MR. DVORYAK MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS MEETING MARCH 11, 2004 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**HOLMAN** Mr. Holman commented on a request from a previous meeting to develop information on trash contracts in neighboring municipalities. He had obtained that information and is preparing a spreadsheet of the information. He will be forwarding it to the Board in his next report.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of February 29, 2004 Treasurer's Report.**

**SCHENCK** Chairman Schenck acknowledged receipt of the February 29, 2004 Treasurer's Report.

**HOLMAN** Mr. Holman brought forward the subject of a Keystone Opportunity Expansion Zone (KOEZ) presentation for property at the Caterpillar tract. He and Mr. Baugh had attended a meeting regarding the KOEZ benefits that could accrue. Because there is a short time frame, the Board would have to take action prior to May 1. He introduced Andrew VandenBrul of KPMG, Darrell Auterson of York County Economic Development Corporation, Kenetha Laughman-Hansen also of YCEDC, and Craig Zumbun of the South Central Assembly for Effective Governance.

**VANDENBRUL** Mr. VandenBrul provided reports for the Board of Supervisors. He thanked the Board for allowing them to make their presentation. He introduced Mr. Robert Stern, General Counsel for The Bon Ton, who also was involved in the process. A brief summary of the presentation follows.

**The KOEZ Program**

The KOEZ Program is a state program which began in 1998, and which has had several modifications, most recently an extended time frame for political subdivisions to apply to enhance their existing zones. The timing is to have a binding Resolution passed and submitted to the Department of Community and Economic Development for approval by May 1, 2004.

KOEZ provides a solution to a location dilemma that occurred for The Bon Ton following their acquisition of Elder Beerman based in Dayton, Ohio. The credit card operation is a separate function, and a number of people in Dayton and in York are performing the same function. The objective is to integrate the two. However, having the function in Dayton, Ohio offers significant tax incentives because Dayton is not subject to a state income tax. Bon Ton's clear intention is to remain in the York area. The KOEZ program offers a solution by solving the location problem as well as the state tax divergence. The KOEZ program abates or

credits many taxes locally through the real property tax and at the state level with the corporate taxes, etc. The program would run from 1/1/04 through 12/31/13, a 10-year period.

**The Bon Ton**

The creation of this specific KOEZ will cover a 42,000 square foot office/administration building at the former Caterpillar tract, which had been vacant for some time. The Bon Ton each year must document an established business.

**Resolution**

A Resolution from each of the taxing jurisdictions must be submitted, i.e., one from Springettsbury Township, one from the school district, one from the County Commissioners. All three would be offered the Service Agreement.

The question of Resolution versus Ordinance is to be determined by the Township Solicitor resulting in the timing needed for advertisement and adoption. The Board would authorize the advertisement.

**Service Agreement**

The Service Agreement would provide that The Bon Ton would pay an amount equal to what the property taxes would have been on the Caterpillar property in exchange for the services provided by the various governmental jurisdictions. In addition, the Service Agreement would provide for the specific details.

**MR. BISHOP MOVED TO AUTHORIZE THE STAFF TO, IF APPROPRIATE, EITHER ADVERTISE AN ORDINANCE OR DRAFT A RESOLUTION TO ACCOMPLISH KOEZ ZONE AS PER THE BOARD'S DISCUSSION THIS EVENING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI**

Mr. Gurreri commented on the PSAT Convention and stated that there are proposed Resolutions for review. He mentioned one in particular, that of legislation to authorize Townships to appropriate Township funds to recognize Township employees.

**BISHOP**

Mr. Bishop commented that Springettsbury recognizes its employees in many ways.

**15. ADJOURNMENT:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 25, 2004  
APPROVED**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:45 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**MARCH 25, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, March 25, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
David Wendel, Director of Parks and Recreation  
Andrew Stern, Assistant to the Township Manager  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**A. Ordinance 04-04 – Revising Subdivision and Land Development Ordinance Relating to Street Design**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 7 p.m., which he indicated had been advertised for 7 o'clock rather than 6:30 p.m. He stated that the first order of business would be to address Ordinances 04-04 and 04-05 and open the floor for public comments.

**HOLMAN** Mr. Holman stated that the Ordinances dealt with land development. He asked Mr. Baugh to present the ordinances.

**BAUGH** Mr. Baugh addressed Ordinance 04-04, Street Designs. The main purposes of this ordinance are to establish the definition of cul-de-sac streets, which would eliminate the potential conflict of interpretation as a loop street and the creation of a definition for loop streets which, in the opposite direction would eliminate the potential conflict of interpretation as a cul-de-sac. The ordinance

further would require two points of access for residential developments with more than 25 dwelling units and non-residential developments with more than 250 average daily vehicular trips. It would further establish design standards for cul-de-sac and loop streets, establishing minimum and maximum lengths, and limiting the number of dwelling units and average daily vehicular trips.

**SCHENCK**

Chairman Schenck called for public comment or questions. Hearing none, he called for questions from the Board.

**HOLMAN**

Mr. Holman stated that the ordinance had been reviewed by all the appropriate agencies. He commended the Planning Commission and Mr. Baugh for their innovative approach to parking, which the County found to be unique. He thanked Mr. Baugh and the staff for taking care of the cul-de-sac and double entry.

**B. Ordinance 04-05 – Revising Subdivision and Land Development Ordinance Relating to Plan Requirements and Processing Procedures, and Street Design**

**BAUGH**

Mr. Baugh stated that the purpose of Ordinance 04-05 was to establish updated filing requirements. It states that a plan must be filed after receipt by the Planning Commission and determined to contain substantially all the information required. It further establishes when a plan must be re-submitted as a new plan. When substantial amendments are made, the plan must be re-submitted as a new plan, thereby extending the lead-time. It also limits the direct access to arterial and collector roads. That prevents the fronting of homes on busy roads unless there is no other means of access. It also establishes private street specifications. Private streets must conform to Township specifications and meet zoning and SALDO requirements as if they were located on a public street. York County Planning Commission recommended five items be revised prior to approval. Four of the five have been incorporated into the document. The only item not changed is the use of the phrase, "Substantial Amendment." However, staff determined there is ample substantiation in the MPC to continue the use of the phrase. The Township Planning Commission recommended adoption of both ordinances.

**SCHENCK**

Chairman Schenck called for public comment. Hearing none, he called for comments or question from the Board.

**BISHOP**

Mr. Bishop commended the staff for responding so promptly.

**SCHENCK**

Chairman Schenck stated that cul-de-sacs had been a problem for as long as he had been on the Board.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**MARCH 25, 2004  
APPROVED**

**GURRERI** Mr. Gurreri echoed the compliments to Mr. Baugh.

**SCHENCK** Chairman Schenck stated that the two Ordinances would be addressed during the Agenda of the Regular meeting.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the Public Hearing at 7:15 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 11, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, March 11, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
David Wendel, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to lead the Opening Ceremonies.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri introduced Father Peter Pier of St. John Chrysostom Orthodox Church.

**PIER** Father Pier provided a blessing over the meeting.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that on March 2<sup>nd</sup> at 6:30 p.m. an Executive Session was held to discuss some pending legal issues. In addition, an Executive Session will be held following the Regular Meeting regarding legal issues relating to action by the ACLU.

**3. COMMUNICATION FROM CITIZENS:**

**RICHARDSON** Laurie Richardson, 1918 North Sherman Street, stated that she had come before the Board two weeks prior regarding the safety of North Sherman Street. She had not seen any progress toward slowing traffic down and wondered what had been done to improve the safety conditions of North Sherman Street.

**SCHENCK** Chairman Schenck stated that he personally had observed the speed tapes. He asked Mr. Holman or Chief Eshbach for further information.

**HOLMAN** Mr. Holman responded that the Township engineer had been in contact with the Pennsylvania Department of Transportation, and their representatives will visit the area. He had not yet seen a report from Chief Eshbach regarding the safety tapes.

**ESHBACH** Chief Eshbach reported that a speed and traffic counts survey is in progress for a 7-day period. More information is forthcoming.

**HOLMAN** Mr. Holman added that Mrs. Richardson will be contacted as to when the PennDot Safety Representative visits the area.

**RICHARDSON** Mrs. Richardson pointed out that one of their neighbors planned to move due to the lack of safety on the street. Her own mother-in-law walks between Kelly's Inn and their home. Due to the fact that there are no sidewalks, pedestrians must walk on the shoulder of the road.

**SCHENCK** Chairman Schenck commented that, as far as the statistics of speed and count, the survey system might not be effective as it cannot be used for enforcement. However, he added that the data could be provided to the state. He thanked Mrs. Richardson for attending the meeting and assured her that it does make a difference.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that mapping had been received for the Fabie property regarding the Eden Road Interceptor. The sewer alignment through that property will be finalized, and rights-of-way completed. In addition, B-H is working with Mr. Hodgkinson in preparing both a risk management plan and Prevention, Preparedness and Correction plan. Both are required by DEP on-

site to address emergency issues, such as chemical spills. More information will be forthcoming in the future.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani provided several updates including the work on Harley-Davidson at Eden Road. An initial inspection was done with the Conservation District regarding the current roadwork. Springettsbury Township is one of the applicants or permittees. In a follow up meeting regarding the Eden Road by-pass around Harley Davidson, Mr. Luciani had noted that the contractor was taking corrective action on the erosion control deficiencies. In addition, he spoke with PennDot, Project Manager for the project, who indicated that he would be having the contractor sign a co-permittee application so that he would be responsible for any violations. Mr. Luciani reported on Sheridan Road. He had provided information regarding the proposed drawings. He had spoken with Charlie Lauer and indicated that the department in an informal way had asked whether the Township would be willing to remove the trees on Sheridan Road as part of the agreement. The Memorandum of Understanding requires the Township to put curbing in, design the drainage and obtain right-of-ways. He indicated that there are between 20 to 30 large trees, which would be an expensive item to remove. Mr. Luciani did not think it was a Township responsibility. In addition, he had asked Mr. Holman to draft a letter to the property owner regarding the right-of-way.

**HOLMAN** Mr. Holman responded that the letter had been sent.

**LUCIANI** Mr. Luciani stated that he had already talked with the largest property owner, who is expecting the letter. A meeting will be held on site with the hope that the right-of-way will be offered at no cost. Two or three of the property owners indicated that they did not have a problem in providing whatever right-of-way was needed. Mr. Luciani hoped to have that finalized within a couple of weeks.

**GURRERI** Mr. Gurreri commented that the information regarding the cost to remove the trees needed to be relayed back.

**SCHENCK** Chairman Schenck asked about comments regarding Pleasantrees, concerning lands dedicated to the Township and wetland dialog.

**LUCIANI** Mr. Luciani responded that a preliminary plan had been approved. A final plan was submitted which included private roads and lots, as well as technical issues related to the recreation ordinance vs.

wetlands. The final plan was taken off the table. As long as the preliminary plan was followed it was approved. They provided storm water ponds. A financial evaluation will be made to determine whether there is enough money and whether the Township would want to take the storm water ponds.

**LAUER**

Mr. Lauer indicated that there is \$30,000 available for Pleasantrees at the present time.

**LUCIANI**

Mr. Luciani stated that the plan had dragged out 10 or 12 years but the plan will be coming to the Board for approval. He asked that the Board provide specific questions to him as early as possible, and he will attempt to provide the history. It's not a normal plan but one for which they do have preliminary plan approval.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of March 11, 2004.**
- B. T-A-H Construction, Inc. – Bar Screen & Septage Receiving Station Contract – Application for Payment No. 1 in the amount of \$9,747.**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A. AND B. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Request to Purchase 410G John Deere Backhoe under the Harrisburg PACC Purchasing Program – Net Delivered Price \$69,852.23**

**HOLMAN**

Mr. Holman stated that Charlie Lauer reviewed the state contract, as well as the Harrisburg Cooperative Purchasing Program. The Harrisburg program not only has the backhoe at a lower price than the state contract, but also they will take our backhoe in exchange. The budget for this item was \$90,000, and it is being requested at \$69,852.23.

**SCHENCK**

Chairman Schenck called for a motion to approve participation in the HPACC and then the purchase of the backhoe.

**MR. GURRERI MOVED FOR APPROVAL OF PARTICIPATION IN HARRISBURG PACC AND THE PURCHASE OF THE BACKHOE. THERE WAS NO SECOND.**

**BOWMAN**

Mr. Bowman had a question on the specs. He commented on the costs of \$537 for an AM-FM radio and \$400 for a VHF radio.

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**LAUER** Mr. Lauer responded that the AM-FM radio was included in the spec; the other was the two-way radio system used out on the road. Both radios are included with the bulk price.

**HOLMAN** Mr. Holman stated that no change could be made to the spec.

**SCHENCK** Chairman Schenck commented that it appeared that there was more tractor for less money in the Harrisburg deal than the state, even without the trade. He complimented Mr. Lauer on a good job.

**BISHOP** Mr. Bishop suggested that the motion be separated.

**SCHENCK** Chairman Schenck agreed and added that the earlier motion died for lack of a second.

**MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP'S PARTICIPATION IN THE HARRISBURG PACC PURCHASING PROGRAM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**DVORYAK** Mr. Dvoryak asked whether the Township had owned the 1990 trade-in from new.

**LAUER** Mr. Lauer responded that he was correct.

**DVORYAK** Mr. Dvoryak stated that he had calculated the 4,000 hours that had been put on the backhoe at an average use of six hours a week. He wondered whether that was typical for machinery of that nature, and how to characterize the utilization of that over that time period.

**LAUER** Mr. Lauer responded that he could not justify it since the equipment came into their department only a year ago.

**DVORYAK** Mr. Dvoryak asked whether any consideration had been given to a joint purchasing agreement for items of this nature. He stated that if it is not heavily used, perhaps the equipment could be leased out to other municipalities to share the expense.

**HOLMAN** Mr. Holman commented that the collection system and Public Works had been combined which had taken some of the pressure off the other backhoe. It had become shared equipment between the departments. In the future an effort could be made to contact other municipalities to develop shared services.

**BISHOP** Mr. Bishop asked whether the use of the backhoe is seasonal.

**LAUER** Mr. Lauer responded that it is used year round. At this time, the right-of-ways are being cleaned with it, sewers are being dug, and two backhoes are needed to do roadwork.

**MR. GURRERI MOVED APPROVE THE REQUEST TO PURCHASE THE 410G JOHN DEERE BACKHOE UNDER THE HARRISBURG PACC PURCHASING PROGRAM – PRICE DELIVERED \$69,852.23 WITH TRADE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Permission to Advertise for Road Materials and Road Work for the Period September 1, 2004 through December 31, 2005**

**MR. BISHOP MOVED TO AUTHORIZE THE ADVERTISING OF ROAD MATERIALS AND ROADWORK FOR THE PERIOD SEPTEMBER 1, 2004 THROUGH DECEMBER 31, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SD-03-17 – Nancy Ness – Action**

**BAUGH** Mr. Baugh provided background information as documented in his March 3, 2004 memorandum. The subdivision is located at 1965 Shulton Drive and consists of 2 lots. The purpose of the subdivision is to relocate a property line between two parcels. The applicant requested several waivers, and at the February Planning Commission approval was recommended with the requested waivers. Further, the Planning Commission recommended the plan with several conditions, and all outstanding conditions have been met since that meeting. Staff recommended approval of the plan with no conditions.

**DVORYAK** Mr. Dvoryak asked whether minimum lot sizes or deed restrictions were considered. He wondered whether it was possible that shrinking the size of lot 1 would take it below the deed restriction.

**BAUGH** Mr. Baugh responded that it was possible; however, it would be considered a private enforcement issue and not a Township issue.

**MR. DVORYAK MOVED TO APPROVE SUBDIVISION 03-17 NANCY L. NESS FINAL SUBDIVISION PLAN WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SUBMISSION OF PRELIMINARY PLAN;**
- **WAIVER OF SCALE OF 1 INCH EQUALS 50 OR 100 FEET.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. LD-03-11 – Nefra Printing – Action**

**BAUGH** Mr. Baugh provided background information regarding LD-03-11 for Nefra Printing, as documented in his March 3, 2004 memorandum. The property is located at 3433 East Market Street and consists of slightly less than an acre. The purpose of the plan is to expand the building a 5,000 square foot addition. The plan had been reviewed by the Planning Commission during its February meeting. Planning Commission recommended the plan with several modifications along with several conditions which had been resolved. There are two remaining conditions. Staff recommended granting the modifications and approval of the plan with two remaining conditions.

**GURRERI** Mr. Gurreri commented that the property is small and they just don't have enough room.

**NACE** Mr. Nace, Rettew Associates, commented that street landscaping and a buffer will be placed between Nefra and the residence to the rear of the property, along with Forsythia to the east and west of the building, about 132 plants total.

**LUCIANI** Mr. Luciani indicated that they had done a very thorough job on the landscaping plan.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 03-11, NEFRA PRINTING FINAL LAND DEVELOPMENT PLAN WITH THE FOLLOWING MODIFICATIONS AND CONDITIONS:**

- **MODIFICATION TO THE LANDSCAPE REQUIREMENTS FOR THE BUFFERYARD WIDTH AND BERM REQUIREMENT ALONG MARKET STREET;**
- **MODIFICATION OF REQUIRED STORM DRAINAGE WIDTH FROM 30 FEET TO 10 FEET;**
- **PROVIDE A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL WHEN OBTAINED;**
- **POST A FINANCIAL SECURITY IN THE AMOUNT OF 110 PERCENT OF THE COST OF REQUIRED IMPROVEMENTS FOR THE PROJECT, INCLUDING PROPERTY CORNERS, PRIOR TO PLAN RECORDING.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri thanked Nefra Printing for staying in Springettsbury Township.

- C. Gerard Builders – Time Extension to 5/31/04**
- D. Kingswood Estates – Time Extension to 4/30/04**

**MR. BISHOP MOVED TO ACCEPT TIME EXTENSIONS FOR ITEMS 7 C. AND D. AS LISTED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri thanked the staff and the Board for the flowers sent to his family on the death of his brother. It was greatly appreciated.

**SCHENCK** Chairman Schenck stated he had been fortunate to be able to participate in the park tour with the Park and Rec Board and David Wendel. The objective was to look at three or four potential sites for a dog park. A recommendation is forthcoming.

**GURRERI** Mr. Gurreri commented that the York County Economic Development Corporation is planning a Regional Event occurring in Lancaster, York and Harrisburg on April 13, 14, and 15 to showcase resources. More information is forthcoming.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing further to add to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman introduced a new employee, Teri Markley, who had joined Springettsbury Township March 8, 2004. She is working in the Public Relations and Grants office. She is a graduate of York College and had been employed by York International Refrigeration and Cooling.

**MARKLEY** Ms. Markley stated she originally came from near Allentown, Pennsylvania but had lived in York for five years. She stated she was very happy to be working with Springettsbury Township.

**HOLMAN** Mr. Holman stated that the remaining items will be addressed in Executive Session.

**BISHOP** Mr. Bishop asked whether or not there were people who had expressed interest in serving on the Park and Rec Board.

**HOLMAN** Mr. Holman responded that three individuals had expressed interest. The item will be on the next Agenda for recommendations; however, he would like to have Mr. Wendel,

Director of Park and Recreation, meet with each one and make recommendations to the Board based on those interviews.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-37 – Request for Right-of-Way by Metropolitan Edison Company through Lands Owned by Springettsbury Township Wastewater Treatment Facility.**

**HOLMAN** Mr. Holman reported that Met Ed will be running an additional line for the Township for which an automatic switching device will allow for partial power outages. If one side goes down, power could be obtained from the other side of the road, which would make the emergency generator there a tertiary instead of a secondary power source. It will make the plant more reliable. Mr. Holman commended Mr. Hodgkinson for a very nice job.

**SCHENCK** Chairman Schenck echoed the thanks to Mr. Hodgkinson.

**HODGKINSON** Mr. Hodgkinson indicated that there had been some reluctance to proceed with the plan.

**HOLMAN** Mr. Holman added that Met-Ed had seen the benefits of working cooperatively together.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 04-37, REQUEST FOR RIGHT-OF-WAY BY MET ED THROUGH LANDS OWNED BY SPRINGETTSBURY TOWNSHIP WASTEWATER TREATMENT FACILITY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-38 Business Associate Agreement – Intergovernmental Insurance Cooperative (IIC) – HIPAA Compliance**

**HOLMAN** Mr. Holman reported that he and Betty Speicher attended a recent Intergovernmental Insurance Cooperative meeting. IIC had requested that all of the members readopt the HIPPA Compliance agreement so that they know that every single entity in the organization had entered into the agreement. A HIPPA agreement had been approved six months ago; however, there was a slight revision to this based on their legal review, nothing major, but just to protect the privacy of medical information of anyone involved in the fund.

**DVORYAK** Mr. Dvoryak asked about to item 1.3 where it referred to East Hempfield, East Lampeter, etc. and why those municipalities are mentioned and Springettsbury is not.

**HOLMAN** Mr. Holman responded that he did not believe Springettsbury needed to be mentioned. There are 11 different organizations in the group. There are certain specific things that place them in that particular contract document.

**BISHOP** Mr. Bishop added that Springettsbury was not involved in the group from the very beginning. The original agreement only included those mentioned.

**HOLMAN** Mr. Holman commented that it had been expanded to 11, and probably will expand by two other municipalities.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 04-38 – BUSINESS ASSOCIATE AGREEMENT – INTERGOVERNMENTAL INSURANCE COOPERATIVE (IIC) – HIPAA COMPLIANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – February 26, 2004**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS WORK SESSION FEBRUARY 26, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – February 26, 2004**

**MR. DVORYAK MOVED TO ACCEPT THE MINUTES FOR THE BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 26, 2004. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**HOLMAN** Mr. Holman reported on the Joint Fire Study being reviewed with Spring Garden Township. He received information from Spring Garden as forwarded by the state. He will be working with the Manager of Spring Garden to put together a Mission Statement. He expected to have a draft within two weeks.

**13. NEW BUSINESS:**

**HOLMAN** Mr. Holman reported that the Township had been notified of a road project. He asked Mr. Bishop to report on the project.

- BISHOP** Mr. Bishop reported that through the efforts of the developers of the former Caterpillar tract, Mr. Holman's office and Governor Rendell's office, notification had been received of a \$750,000 Economic Development grant to begin the engineering on the Route 30/Memory Lane Interchange completion project. The original estimate is \$5 million for the entire project. Mr. Bishop indicated this grant would be a great start and specifically targeted as being Economic Development funds. The money does not come out of the other county road funds. It is definitely new money; not a reallocation of TIP money from one place to another, although will be administered through the standard channels with the MPO.
- HOLMAN** Mr. Holman reported that Miss Markley contacted the Governor's Office today and learned that the preliminary engineering should be starting in the fall of 2004.
- HOLMAN** Mr. Holman stated that a question had been raised by the Recycling Committee whether or not a Board member could be appointed to that Committee to attend the meetings. One suggestion was that the Board members could attend on a rotating basis. The meetings are every two months. Mr. Holman stated that he normally attends their meetings. Their main concern is that the Board receives the information discussed at the meeting.
- SCHENCK** Chairman Schenck stated that the Board does not attend any other Committee meetings.
- BISHOP** Mr. Bishop stated that the Recycling Committee previously had little communication through the manager to the Supervisors.
- SCHENCK** Chairman Schenck offered to go to their next meeting to explain that the Board has faith in the fact that the communications will come through. He asked to be advised of their next meeting with as much notice as possible.
- GURRERI** Mr. Gurreri indicated he had spoken with several supervisors of other townships regarding their garbage contracts, and there seemed to be a large difference in pricing, lower even with the toters. He suggested checking with the other Townships for comparison.
- SCHENCK** Chairman Schenck responded that in the past that information was gathered to determine the status. He added that it would be a good exercise.

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**HOLMAN** Mr. Holman indicated that the information could be pulled together quickly. He offered to work up a comparison and attempt to make it apples to apples.

**SCHENCK** Chairman Schenck added that many of the contracts are considerably different and very difficult to compare, but an effort can be made for comparison.

**SCHENCK** Chairman Schenck commented on two fire company issues. He reported that Station 17 still does not have the exterior lights on in the stairwell in the parking lot. He reported that he had watched people coming out of the building, and it is dark on the steps and dangerous. Since the Township is running that facility, this issue should be resolved.

**HOLMAN** Mr. Holman responded he would follow up.

**SCHENCK** Chairman Schenck reported that he had received a report from the Volunteer Fire Company showing the reimbursement evaluation and operating expenses. He passed the report to Mr. Holman.

**BISHOP** Mr. Bishop asked about the status of the Deed Restriction.

**HOLMAN** Mr. Holman responded that he would contact the Solicitor in order to follow up and address that with the Volunteer Fire Company.

**SCHENCK** Chairman Schenck stated that Mr. Gurreri had brought up another excellent suggestion to work on a calendar for 2004 for the Board members to share responsibility for the Opening Ceremony.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:58 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**MARCH 2, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Tuesday, March 2, 2004 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Ron DiAngelo, Recycling Committee  
Charlie Lauer, Public Works  
Ed Ward, Penn Waste  
Scott Wagner, Penn Waste  
Jean Abrecht, Stenographer

The Board of Supervisors held a Work Session on the above date and time to discuss several issues pertaining to trash collection.

Mr. Holman reported that the Department of Environmental Protection advised that the Township must begin a yard waste collection program a minimum of two times a year. Mr. Holman suggested to begin with one collection during 2004 in order to meet DEP requirements. Non-compliance with this issue would result in placing the Recycling Grant, approximately \$90,000, at risk.

Mr. Wagner reported that Penn Waste would provide the yard waste collection service to the Township with the Board's approval. Mr. Wagner had investigated costs and options and indicated Penn Waste would take this yard waste to H&H in Spring Grove, PA.

Mr. Ward will estimate costs and provide prices for several pick up options to the Township as follows: (1) twice a year, (2) once a month, (3) once a week, all for a period of seven (7) months from April through October. Penn Waste could be geared up and ready to go very quickly.

Mr. Bishop asked the Board members whether there was interest in extending the garbage contract, an available option. Board members present were open for discussion but not ready to make any decision.

Mr. Wagner commented that Penn Waste is interested in extending the contract. He added that if the contract would be re-bid there would be between 20% and 30% price

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WORK SESSION**

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increases. He understood that the contract base term commenced from January 2002 to December 31, 2004. However, upon mutual agreement of the Township and the contractor, the terms and conditions of the contract may be extended up to three one-year terms. He stated that he understood an extension would be at the same price; however, the yard waste component provision would be an additional cost. Penn Waste would design their pick up in five different zones on five different days within the Township.

Mr. Holman stated that he would provide the cost increase and additional terms provided by Penn Waste to Solicitor Rausch for review.

Mr. DiAngelo commented that removing yard waste would provide additional revenue for the Recycling Committee. He asked whether a Supervisor would be able to attend their meeting on a regular basis. The Recycling Committee meets every two months on the 3<sup>rd</sup> Tuesday at 7 p.m. Mr. Bishop suggested to place the item on the Agenda for the next Board of Supervisors regular meeting.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 26, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, February 26, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
David Wendel, Director of Parks and Recreation  
Andrew Stern, Assistant to the Township Manager  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Dvoryak to lead the Opening Ceremonies.

**A. Opening Ceremony**

**DVORYAK** Mr. Dvoryak introduced Pastor Dale Buettner of New Life Presbyterian Church and asked that he lead the blessing.

**BUETTNER** Pastor Buettner led a prayer of blessing.

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there was an Executive Session following the last regular meeting regarding legal issues.

**3. COMMUNICATION FROM CITIZENS:**

**RICHARDSON** Laurie Ann Richardson of 1918 North Sherman addressed the safety of the 1900 block of Sherman Street. Since moving there in 2002, they had experienced one car accident every two months, and there had been two since Valentine's Day of 2004 in front of their house, one of which was a fatality. She cited speed and alcohol as the factors involved and indicated that many of the accidents happened between 11 p.m. and 4 a.m. She asked the Board to consider the safety of the road. She understood the difficulties as far as changing the road due to the existing homes. She suggested increased speed traps, DUI checks on top of the hill, stop signs, traffic lights or some mechanism to slow motorists down. No innocent bystanders have been hurt, but there are many individuals and children who do walk along that road.

**LUCIANI** Mr. Luciani stated that Sherman Street is a state highway. The Township had been working with PennDot on some state highway safety issues. Mr. Luciani was unsure of whether a signal would make the roadway safer, but it would help turning movements. He indicated that drunk driving is an enforcement issue. Discussions had been held regarding a signal at the intersection of Paradise and Sherman Street, which might create some gaps. He indicated Mr. Holman had already taken steps to pull the accident reports, which seemed significant.

**HOLMAN** Mr. Holman stated that Chief Eshbach will be providing the accident reports, and a meeting will be scheduled with PennDot.

**SCHENCK** Chairman Schenck thanked her for her comments and stated that the Township would gather information that is available on the accident reports. He indicated that there are two kinds of accidents, reportable and non-reportable, but typically only the reportable accidents are reviewed. However, records are available on everything that occurred in that area, and the concern can be brought to the state's attention.

**DVORYAK** Mr. Dvoryak asked about the cause of the fatal accident.

**ESHBACH** Chief Eshbach responded that the fatality was still under investigation.

**BAUGHMAN** Norman Baughman of 1919 North Sherman Street stated that he had built and resided in his home since 1946. He was very familiar with the Sherman Street traffic and with speeding starting at 2:45 p.m. with traffic from Harley-Davidson. He commented on the additional expected traffic due to the new high school being built on North Sherman Street extended. He noted that, even though Sherman Street is a state road, it is under the jurisdiction of the Township, and 911 calls are answered by Springettsbury Township. He complimented the Police Department in the Township, which has the responsibility for writing the accident reports.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

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The accident area extended from Ridgewood Road 250 feet south to the front at the curve at Kelly's Inn. He noted that the Police Department seemed to spend more time on Ridgewood Road looking for speeders than on Sherman Street. The Sherman Street traffic should be given the same consideration as those who live on Ridgewood Road. He suggested some solutions to slow down the speed, either a blinker signal coming up the hill and approaching the curve or a stop sign at Ridgewood and again at Druck Valley Road; possibly a signal light.

**BISHOP**

Mr. Bishop asked which direction the speeding is being done.

**BAUGHMAN**

Mr. Baughman responded both north and southbound. He suggested some kind of a speed trap set up there, or even the presence of a patrol car, which would advise motorists of a crack down on speeding.

**SCHENCK**

Chairman Schenck suggested that the residents contact their state legislators and request support in allowing local police to use radar. The area is very difficult physically to use the tools that the Police Department is allowed to use to trap speeders. There is no way to get off the road other than to use someone's personal driveway.

**DOLAN**

Jennifer Dolan of 1924 North Sherman Street also reported that on February 14 at 2:38 she had been awakened by the sound of the car crash. As she had done so many times, she dialed 911 and reported the accident. When her husband met one of the neighbors outside, they found Michael Massey dead in his car, a sight they will not forget. The neighbors had predicted the accident, and she felt some guilt for not coming forward earlier. She does not want to have any more motorists end up in her front yard especially when her daughter is outside playing. She made several suggestions: more signs for the curve in front of Kelly's Inn, rumble strips, flashing lights, series of signs with arrows around the curve, and police presence.

**SCHENCK**

Chairman Schenck thanked the residents and advised them that their comments are taken seriously. The Township will do what it can to work with the state. It's Township jurisdiction to patrol and enforce the laws, but the Township needs the state to buy into improvements to their highway and that will be communicated to them.

**ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER**

Mr. Schober presented several updates in addition to his written report. The Solids Dewatering Project had been completed, and the contractor is working on a final punch list. Mr. Schober provided several photographs

of the work. The right-of-way agreement regarding the Eden Road Interceptor had been received and forwarded on to the railroad. He had nothing new to report on the Bar Screen contract. Shop drawings are being submitted in preparation for the mobilization. Concerning grants EPA had been contacted and all forms that need to be submitted for an additional \$100,000 grant had been secured, which Mr. Schober will provide to Mr. Holman for signature. An additional grant program similar to the Growing Greener project was made available. This grant program is being funded through the Water Quality Cooperative Agreement Allocation. The project that the Township submitted does not fit this exactly, but it was a relatively simple application so it was submitted. The Township was successful in obtaining \$247,000 Growing Greener dollars for a study of the aeration system at the plant to determine how it can be improved to remove more nitrogen and phosphorous, which are two Chesapeake Bay issues. Some studies and pilot testing will be done to see how much nitrogen can be removed without building any tanks. More information will be forthcoming.

**SCHENCK** Chairman Schenck stated that the Centrifuge Project looked great and complimented the workmanship and design.

**SCHOBBER** Mr. Schober responded that the project results were very good and simplified Mr. Hodgkinson's operation.

**BISHOP** Mr. Bishop asked whether there would be some significant scheduled upgrades.

**SCHOBBER** Mr. Schober responded that one will be in the capital improvement budget to replace the surface aerators in the plant with fine bubbled diffusers. Their plan is to do that as part of a pilot test to see how well it will work the best. The grant does not obligate the Township to build anything.

**SCHENCK** Chairman Schenck indicated it could help pay for the installation of those devices to see how well they work.

**HOLMAN** Mr. Holman added that it would reduce the initial cost. Representative Gillespie would like to come and present this with the grant award. Mr. Holman will notify the Board when he is advised of a final date.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani provided an update to his written report. He commented on the rumble strips suggested for Sherman Street. He stated that they do an effective job on the edge of the road and also in centerlines for cross over movements. In the past the state had been reluctant to place them in close proximity to residential areas because they are very noisy.

**SCHENCK** Chairman Schenck noted that he made a good point and perhaps that would be the opportunity to talk to the people in that area to have them understand the noise issue. He suggested to work with that neighborhood and see if there is overwhelming support, and they know it is coming, the state could be advised not to be concerned about it.

**LUCIANI** Mr. Luciani responded that he would carry that suggestion forward. His other item to report concerned Sheridan Road. Mr. Holman will report on the detour proposed by Central but which has not been finalized. The plans from PennDot had been distributed to the Board. Mr. Luciani intended to contact the property owners; a half acre of ground is needed among four property owners. He will ask if they will voluntarily provide that right-of-way to put the swales in on Sheridan Road. He will provide updates as that progresses. If the land is not volunteered, there may be a need to go through the condemnation process. Some of the houses sit 700 to 800 feet off the roadway and would not be greatly impacted by the improvements. The hope is that they would volunteer this right-of-way.

**SCHENCK** Chairman Schenck asked how the process would be handled for the detour as far as Township involvement and whether the Township has a strong position, or is just waiting to hear from them.

**HOLMAN** Mr. Holman responded that a meeting had been held with Public Safety and Tom Smith of B-H where he had expressed all of the concerns of the Supervisors with regard to the roads and the detours that they had proposed. Mr. Baugh was involved with regard to the new development there and with other detours the Township had in mind. Recommendations were provided by Chief Eshbach, by Andrew Stern from the Fire Department and others. Jim Baugh and John Luciani provided recommendations regarding truck traffic and other issues. Minutes of that meeting were just received and Mr. Holman will review them and send them to the Board. He added that the Township wanted to be sure to be fully involved in that detour process, in order to determine whether there are real concerns or issues. Both Board member and Director issues can be presented early on in order to address them. The school did provide Tom Smith to come over to meet with the Township. They were cooperative and took all the suggestions back. These are state roads so the state will be asking for comments again down the road, but it was important to be on record now. One thing the Township wanted to be sure of is that the residents receive plenty of notification regarding these detours, however, it is just in the preliminary stages.

**LUCIANI** Mr. Luciani reported that one question that was asked in the meeting was why the specific detour was selected. The response was that an attempt is made to cut the road off as close as possible to the by-pass area. Initially

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when it was reviewed the use of Druck Valley Road was questioned. It would appear that the easiest way would be to follow the truck detour. Most motorists travel up 83 and avoid all that congestion in the middle, but Tom Smith doesn't think that will be an acceptable alternative. They do need a detour because of roadway elevation differences and termination of the road. There's no way to keep the traffic going through and complete the project within their time frame.

**SCHENCK** Chairman Schenck asked what the time frame would be for the detour.

**HOLMAN** Mr. Holman responded that it would be in the summer months of 2005. He stated that they targeted April 1<sup>st</sup> to the 15<sup>th</sup> to get the detour started.

**LUCIANI** Mr. Luciani added that the project wraps up in August of 2005 because the school will open.

**GURRERI** Mr. Gurreri asked whether Sheridan Road would be fixed before the school opened.

**LUCIANI** Mr. Luciani indicated that was a separate project. He thought that the intent was to have Sheridan Road completed during the 2004 calendar year. This detour wouldn't be completed until the following calendar year.

**GURRERI** Mr. Gurreri asked about the intersection with lights.

**LUCIANI** Mr. Luciani responded that he had placed a call to the PennDot traffic engineer, who was reviewing the agreements. The traffic study indicated that currently it meets warrants and will when the school opens. Mr. Luciani had not received word yet on the issues, but he will report back to the Board as soon as he has further information.

**GURRERI** Mr. Gurreri commented that it would help if those items were completed.

**LUCIANI** Mr. Luciani commented that during discussions they had asked whether a signal would be warranted at Church Road. There will be a good volume of traffic and it was indicated that a temporary signal might be an option.

**SCHENCK** Chairman Schenck thought it might keep trucks out.

**LUCIANI** Mr. Luciani indicated that there should be a separate truck detour with the goal that the trucks would use Route 30 to 83. He stated that there is a lot to do during this calendar year.

**GURRERI** Mr. Gurreri asked about the intersection at Posey's Place. He had read a letter from PennDot, which indicated the intersection met the minimum

sight distance required to the north. However, there is little sight distance to the south.

**LUCIANI** Mr. Luciani stated that in his review he thought it was a little tight; however, PennDot had provided a document indicating they field investigated it and it met the minimum sight distance required.

**GURRERI** Mr. Gurreri commented that even if residents would cut away bushes and trees it would help.

**LUCIANI** Mr. Luciani stated that besides the bushes there are some other things in the way out there, but if PennDot thought it was inadequate they would have stated that it should be increased. That would involve more effort on their part.

**4. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 26, 2004**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE AS SHOWN ON THE PAYABLES LISTING OF FEBRUARY 26, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. BIDS, PROPOSALS & CONTRACTS:**

**A. Request to Expend \$58,730 for Improvements to Sanitary Sewer System on Circle Drive.**

**SCHENCK** Chairman Schenck introduced the request to spend \$58,730 on a Sanitary Sewer upgrade, an item handled on a blanket bid.

**HOLMAN** Mr. Holman commented that this would continue through July, 2005 for the maintenance contract.

**DVORYAK** Mr. Dvoryak asked how long the repair work would last.

**LAUER** Mr. Lauer responded repairs would last 20 years in the line.

**MR. DVORYAK MOVED TO EXPEND \$58,730 FOR IMPROVEMENTS TO SANITARY SEWER SYSTEM ON CIRCLE DRIVE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter into Professional Services Agreement with YSM for Phase II Improvements to Springettsbury Park in an amount not to exceed \$55,850.**

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- HOLMAN** Mr. Holman requested authorization for a professional services contract with YSM for services associated with Phase II improvements to Springettsbury Park. Total project cost at this time is \$600,000. Funding is available in capital and grant funds in the amount of \$250,000 from the Community Development Fund.
- SCHENCK** Chairman Schenck asked whether the \$250,000 would be deducted from the \$600,000.
- HOLMAN** Mr. Holman responded he was correct. YSM had provided follow up from Phase I project. He had asked YSM for a project oversight cost. They provided a fixed cost of \$8,250.
- BISHOP** Mr. Bishop asked about the location for the playground based on its use and whether it was included in the current proposal.
- HOLMAN** Mr. Holman responded that the playground is still in the proposal at this point. That could be amended going through the project. The main facets are the midway, the tennis court, and the parking lot on that side, which are costly items, including the 110 electrical and other services needed in those areas. A review of the project and costs will indicate whether or not the playground equipment will be affordable. It may be an add on if it could be brought in under the bid price. Mr. Holman wanted to determine a start date in order to have a completion in time for the Saturday in the Park celebration. He will be working with YSM and Mr. Wendel to determine the best plan, which will depend on how quickly they can move on the plans and specifications.
- SCHENCK** Chairman Schenck stated for clarification that all the design of the elements to be constructed had been included previously, and no additional engineering would be necessary.
- MEARS** Mr. Andy Mears, YSM, responded that the same basic design was included in the overall plan.
- GURRERI** Mr. Gurreri mentioned that there had been discussion about constructing four instead of six tennis courts.
- MEARS** Mr. Mears responded that the final design was for six. The grading and everything had been done to accommodate six courts.
- SCHENCK** Chairman Schenck stated that there may be some thought of taking two away; build six and use two for the skateboard park.
- MEARS** Mr. Mears responded that two could be removed; or four could be built now and two added later.

**HOLMAN** Mr. Holman suggested to build six and two could become basketball courts.

**GURRERI** Mr. Gurreri commented that the area is heavily used. Another basketball area would be used as well.

**SCHENCK** Chairman Schenck stated that the decision would be made at the appropriate time.

**HOLMAN** Mr. Holman thanked Mr. Mears, who provided information regarding the costs quickly. Mr. Holman will be sending a request for a budget amendment to the grant people in order to incur both construction and engineering costs against the grant. At this point it's strictly construction. It may not make a great deal of difference; however, he would like to have the option to be able to incur both the engineering and construction costs against the grant funds.

**MR. BISHOP MOVED TO AUTHORIZE THE CHAIR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH YSM FOR PHASE II IMPROVEMENTS TO SPRINGETTSBURY TOWNSHIP PARK IN AN AMOUNT NOT TO EXCEED \$55,850. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Award Mowing Services Contract to Tee To Green Grounds Management Company for Mowing of Springettsbury Park for a total amount of \$49,500 over a three-year period.**

**HOLMAN** Mr. Holman commented that Mr. Lauer checked references on the low bidder.

**SCHENCK** Chairman Schenck stated he had called one of the references that he knew, who stated that they do a real nice job covering lots of green area. He asked whether this would be for a three-year contract.

**LAUER** Mr. Lauer responded that it was bid for two with one extension. At any time it can be cut off. The option for the third year is at the same price.

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD MOWING SERVICES CONTRACT TO TEE TO GREEN GROUNDS MANAGEMENT COMPANY FOR MOWING THE SPRINGETTSBURY PARK FOR A TOTAL AMOUNT OF \$49,500 OVER A THREE-YEAR PERIOD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-03-16 – Kissling Property – Action**

**BAUGH** Mr. Baugh provided background information regarding SD-03-16 as documented in his February 20, 2004 memorandum. The property, located at 4055 Trout Run Road, is in an Open Space Zone and consists of 140 acres along the Codorus Creek. One house exists on the property in Hellam Township. The entire property lies in East Manchester, Springettsbury and Hellam Townships. The purpose of this subdivision is to create four lots out of the parent tract. Lot 1 located in Springettsbury Township will remain Open Space and be attached to other lands of Mr. and Mrs. Kissling. Lots 2 and 3 located in Hellam Township are individual lots. Lot 2 will encompass the existing home, outbuildings and pool located at 4055 Trout Run. Lot 4 located in East Manchester Township will remain Open Space and be attached to the lands of the Starview Sportsman’s Association. No new buildings or improvements are proposed in the plan. Mr. Baugh reported that the Planning Commission recommended granting several waivers at its February 19, 2004 meeting and further recommended approval of the plan with no conditions, and staff concurred with their recommendations.

**MR. DVORYAK MOVED TO APPROVE THE PLAN OF SUBDIVISION 03-16, THE KISSLING FINAL SUBDIVISION PLAN WITH THE FOLLOWING WAIVERS:**

- **SHOWING ALL EXISTING STREETS ON, ADJACENT TO, OR WITHIN 400 FEET OF ANY PART OF THE TRACT;**
- **SHOWING CONTOUR INTERVALS OF FIVE FEET.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**CONLEY** Mr. Conley commented that the Township normally recorded the plans. The Kisslings have a buyer for the house in Hellam Township. They were wondering how flexible the Township would be with allowing their engineer to record the plans in order to have their settlement taken care of, which was scheduled for Friday, February 27<sup>th</sup> at 3 p.m.

**HOLMAN** Mr. Holman responded that the policy of the Township is to record all plans to be sure all payments are made. Mr. Baugh and Mr. Holman reviewed this and the recommendation is that the policy be continued that the Township would record the plan. He added that they would get it done as quickly as possible.

**SCHENCK** Chairman Schenck commented that there are some steps that the Township needed to do to make sure they are done correctly. He asked what a reasonable time frame would be in this circumstance.

**BAUGH** Mr. Baugh responded that it could vary anywhere from as quickly as one day to as many as five days. He explained the process.

**HOLMAN** Mr. Holman indicated that Mr. Baugh would try to move it along as quickly as possible depending on any complications and obtaining the final numbers and final payments due.

**7. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported statistics provided by the York County Economic Development Corporation from a York area profile. Metropolitan York experienced strong population growth, 12.4%, in the 1990's to become Pennsylvania's fastest growing metropolitan area. This growth was more than any other metro area in the state and ranks the 7<sup>th</sup> largest metropolitan area in the Commonwealth.

**BISHOP** Mr. Bishop stated that the Manager mentioned briefly in his report about the PUC Hearings scheduled on Met Ed and the effects of deregulation on the service levels. He reported that from his personal experience, he thought there had been a serious deterioration of service in this area, and particularly with the way the utility communicates with the rate payers. He recommended that Springettsbury Township should continue to have a seat at the table. Mr. Holman already had requested that the department heads give him reports on their experiences in the last year or two. Mr. Bishop was not sure what else needed to be done.

**HOLMAN** Mr. Holman suggested that an item could be posted on the web site with a request for comments from the public with regard to service. He requested input from the Directors and the public to include as part of documentation to the utility.

**BISHOP** Mr. Bishop asked whether any date had been given for a response.

**HOLMAN** Mr. Holman responded that he had not received a date; however, he would like to have the date in order to get a formal letter in early.

**SCHENCK** Chairman Schenck thought the web site was a great idea.

**Consensus of the Board was agreement to have an item added to the web site.**

**SCHENCK** Chairman Schenck presented Mr. Wendel and Mr. Lauer with some samples of dog waste scoopers for use in the future dog park. York Water Company uses them at the Reservoir Park.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing to add to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that he would be sending out an amended Manning Schedule with updated totals. An updated report had been received from Pennsylvania Department of Transportation with regard to Mt. Zion and Deininger Road, and he will forward that to the Board with his next report. He will also be calling the residents to let them know what had been received from PennDot. They are doing engineering, site visits, preliminary plans for Mt. Zion and Deininger. Mr. Holman recognized Ken Pasch who was present. He thanked Mr. Pasch for his help in providing history of the Township and in negotiations with the various bargaining units, one that he brought to fruition as of this date and on which he had worked very hard. He and Mr. Stern put in quite a bit of time. Mr. Holman thanked them both for their efforts, especially Mr. Pasch. Mr. Holman reported four more Job Descriptions had been completed. The Board will be receiving updated Job Descriptions periodically as the program is updated. He will be updating the classification program with Mrs. Speicher with final approval of the Board. Regarding the dog park, Mr. Wendel had made him aware that he is setting a date to visit the parks, where they would like to set the dog park, and Chairman Schenck will be asked to attend that.

**SCHENCK** Chairman Schenck asked for the date.

**WENDEL** Mr. Wendel responded that on Monday, March 8<sup>th</sup> at 5:30 p.m. everyone will meet at the Township Building and visit sites identified in the dog park survey, a total of four sites.

**SCHENCK** Chairman Schenck stated that the matter is very much in the information gathering stages in order to explore options.

**WENDEL** Mr. Wendel added that he will be meeting with the Director of Recreation at Lower Allan Township. They just opened a dog park there that was highlighted on Fox 43 two weeks ago. A meeting will be held with their user group that they established that helps maintain and raises funds for the park to get some ideas and learn about some of their obstacles. There is a dog park in Lancaster (east) and Lower Allan in the (west), but nothing in between.

**SCHENCK** Chairman Schenck thanked Ken Pasch publicly and extended his personal gratitude to him, along with the rest of the Board, for what he had done for the Township. He had made quite a commitment and everyone was very grateful.

**GURRERI** Mr. Gurreri commented that he had the pleasure of sitting in on some of those negotiations and Mr. Pasch had done a great job, along with Andrew Stern and Donald Yost. He applauded the good employees working for

the Township. He added that it had been very educational for him. He thanked Mr. Pasch for a great job.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-02 – Amending Park and Recreation Ordinance**

**SCHENCK** Chairman Schenck stated that the largest portion of Ordinance No. 04-02 is adding the Park Rules.

**HOLMAN** Mr. Holman added that the Park Rules are in the new Code Book, but they reference back to a Resolution. The Solicitor had recommended that we reference it back to a specific Ordinance.

**GURRERI** Mr. Gurreri commented on item 13, No Dogs/Pets. This means that, with the exception of seeing eye dogs, no dogs are permitted in the park.

**HOLMAN** Mr. Holman responded that the goal is to have an animal park or dog run.

**SCHENCK** Chairman Schenck stated that the rule had been in effect for many years and was probably the most blatantly disregarded rule.

**MR. DVORYAK MOVED FOR APPROVAL OF ORDINANCE NO. 04-02 AMENDING THE PARK AND RECREATION ORDINANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 04-03 – Amending Code of Ordinances to Implement the Municipal Separate Storm Sewer System (MS4) Provisions.**

**MR. BISHOP MOVED FOR APPROVAL OF ORDINANCE 04-03 AMENDING THE CODE OF ORDINANCES TO IMPLEMENT THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROVISIONS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 04-35 – Authorizing Entering into a Collective Bargaining Agreement with Teamsters Local 430 for 2004-2005-2006**

**SCHENCK** Chairman Schenck stated that the contract had been signed by the union and requires authorization from the Board.

**DVORYAK** Mr. Dvoryak thanked all those involved in the negotiations with the union. He suggested that the Board should provide some parameters going into the negotiation process to those negotiating the contracts in the future. The parameters would be acceptable to the Board and would alleviate difficulties at the end of the negotiating process. He had one concern within the contract dealing with the health insurance regarding the second

and third year of the contract. The Township's contribution to the plan is not defined but is to be determined by the Teamsters at that time. He understood that the Township does have the right to go to another plan if it so chooses to do that, but the one concern is that there is no time specified when they have to notify the Township of the rate change. Mr. Dvoryak was concerned that there would not be enough time to react because it is very difficult to change plans on a moment's notice.

**HOLMAN**

Mr. Holman responded that the Board receives notification with a two-month window to work on this with a two-week time frame for review. There is an additional health plan available within the Township for comparison. He would compare both together. If one would be a better price then he would talk to the bargaining unit.

**SCHENCK**

Chairman Schenck supported Mr. Dvoryak's comments regarding the Board's being more involved in the front end. He would support a consensus of the Board to take Mr. Dvoryak up on his suggestion. Some other municipalities form a small sub-committee typically made up of two Board members and go through the exercise, which would be a good process.

**GURRERI**

Mr. Gurreri echoed his support for the suggestion.

**HOLMAN**

Mr. Holman stated that he would normally present the recommended positions to the Board in an Executive Session prior to starting negotiations and reasons for those positions.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 04-35 AUTHORIZING ENTERING INTO A COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL 430 FOR 2004-2005-2006. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-36 – Authorizing Entering into an Agreement for Health Services with the Teamster Health and Welfare Fund for Teamster Employees**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 04-36 ENTERING INTO AN AGREEMENT FOR HEALTH SERVICES WITH THE TEAMSTER HEALTH AND WELFARE FUND. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing – February 12, 2004**

**SCHENCK**

Chairman Schenck commented that the Public Hearing had been held regarding the transfer of a liquor license in the Township.

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING, FEBRUARY 12, 2004 AS DRAFTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Regular Meeting – February 12, 2004**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 12, 2004. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Road Priority Projects**

**SCHENCK** Chairman Schenck stated that the Board members had been given the task to rate the road project listing received during a Work Session.

**HOLMAN** Mr. Holman stated that one response had not yet been received. He would present the results during the second meeting in March at a Work Session along with a recommendation of where the funding will come from and the costs in order to start scheduling.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of January 31, 2004 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE JANUARY 31, 2004 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Approval of Revised Position Descriptions**

- 1) Administrative Assistant (Police Department)**
- 2) Data Entry Clerk**
- 3) Receptionist/Data Entry Clerk**
- 4) Grants and Public Relations/Events Specialist**

**MR. GURRERI MOVED TO APPROVE THE REVISED POSITION DESCRIPTIONS 1) THROUGH 4). MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Approval of the Concession Operations Policy**

**HOLMAN** Mr. Holman commented that the Ordinance required that the policies be approved by the Board. They are the policies that had been sent out over

the past six months. Now that the Ordinance is in place, the policies will be put in place.

**SCHENCK** Chairman Schenck stated for clarification that the action is for Board approval.

**WENDEL** Mr. Wendel commented that these are guidelines for operating the concession stand, controlling and managing the use of the facilities, and specifically the athletic fields. Concession buildings require licensing by the Department of Agriculture with adherence to certain guidelines.

**BOWMAN** Mr. Bowman asked about the pass code.

**WENDEL** Mr. Wendel responded that to gain access to the facilities the individual must have a pass code. He provided specifics concerning the pass code access.

**HOLMAN** Mr. Holman added that the codes would change periodically.

**MR. GURRERI MOVED TO APPROVE THE CONCESSION STAND OPERATION POLICY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Approval of Facility Allocations Policy**

**SCHENCK** Chairman Schenck commented that this policy applied to the use of the fields.

**BOWMAN** Mr. Bowman asked who was responsible for removing the portable toilets and whether a time limit was set.

**WENDEL** Mr. Wendel responded that the athletic organizations may choose to have portable toilets on the site. They are responsible for leasing them. Once their season concludes, they are quick to remove them so that they don't incur additional costs. There had been some problems with vandalism with them being overturned, etc. Guidelines in place cover those kinds of difficulties and ultimately the organization is responsible.

**BOWMAN** Mr. Bowman requested that a word had been misspelled: "were parking" should be changed to "where parking."

**MR. BISHOP MOVED TO APPROVE THE FACILITY ALLOCATIONS POLICY AS CORRECTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck provided a comment for Chief Eshbach and Mr. Stern. He had been a volunteer for the 15K Roadrunners activity in the Township

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on Saturday. He stated that they were very pleased. He did not think the police were obligated to do anything for that group other than to coordinate it. Some of the officers were in the area and very positive comments had been made by the runners. It had been nice interaction and they really enjoyed being able to run here and felt welcome. The Police Department was a part of it. On the other hand the Fire Police never showed up. He was not aware of whether there had been a mis-communication.

**ESHBACH**

Chief Eshbach responded that, as far as he knew, everything had been scheduled with them. He indicated he would have to check on it.

**SCHENCK**

Chairman Schenck stated that he had nothing to do with organizing the race and was just there to hand out water. People had questioned him about the Fire Police because of his connection with the Township. He had stated that he was sure it had been communicated, and he was aware they were involved in meetings, but for whatever reason they were no where to be seen. Chairman Schenck encouraged the runners to think about starting the race in the park next year.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
SPECIAL MEETING**

**FEBRUARY 26, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting on Thursday, February 26, 2004 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop  
Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO PRESENT:** John J. Holman, Township Manager  
John Luciani, Township Engineer  
Kristina Wentz, First Capital Engineering  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
David Eshbach, Police Chief  
Charles Lauer, Director of Public Works  
Mark Hodgkinson, Director of WWT  
Betty Speicher, Director of Human Services  
Andrew Stern, Managing Director of Fire & Rescue Services/Assistant to the Township Manager  
David Wendel, Director of Parks and Recreation

The Board of Supervisors held a special meeting on the above date and time to present a public educational program and review information regarding Municipal Separate Storm Sewer Systems (MS4s).

Mr. Luciani explained that the Department of Environmental Protection (DEP) is requiring that municipalities improve water quality. He introduced Kristina Wentz, E.I.T. from First Capital Engineering and stated she would be presenting a power point presentation to educate the public on MS4s.

Ms. Wentz provided the following information:

The Department of Environmental Protection (DEP) is requiring populated municipalities to improve water quality. Over the years, storm water runoff has increased in quantity and decreased in quality due to development and disturbed areas. DEP has created a storm water permit program for qualifying municipalities. Springettsbury Township and many other York County communities are required to meet the permit requirements because of a number of factors including population.

This program includes: public education, public involvement, construction site runoff management, post-construction storm water management, illicit discharge detection and elimination, and good housekeeping and pollution prevention. The public education and

**SPRINGETTSBURY TOWNSHIP  
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APPROVED**

outreach portion of the program includes educating the public about storm water through public meetings and volunteer programs. Construction and post-construction water quality will be improved by requiring stricter standards for water quality. Illicit discharges will be detected by testing and will be eliminated at the source. The township will develop a good housekeeping and pollution prevention program by educating their employees and residents on good practices to reduce pollution from activities such as oil changes and car washing.

Expected benefits of this program include: enhanced fishing, enhanced opportunities for recreation, reduced flood damage, drinking water benefits, navigational benefits, reduced illness, and enhanced aesthetic value.

Ms. Wentz stated anyone can help with this program by passing on information about the storm water program to other residents and reporting any storm water problems to the Township. She asked that everyone keep an eye out for the new public education and volunteer opportunities.

The meeting adjourned at 6:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 12, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, February 12, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop  
Mike Bowman  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Dave Eshbach, Police Chief  
Mark Hodgkinson, Director of Wastewater Treatment  
Andy Hinkle, Manager of Information Services  
Charlie Lauer, Director of Public Works  
Andrew Stern, Assistant to the Township Manager  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order and welcomed the attendees. He asked Mr. Dvoryak to lead the Opening Ceremony.

**A. Opening Ceremony**

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**B. Loyalty Oath – Scott R. Little, Firefighter**

**STERN** Mr. Stern introduced Scott R. Little, who was hired February 2, 2004 as a Firefighter. He provided his education and background information, which indicated him to be well qualified for this position. Mr. Stern acknowledged Mr. Little's family in attendance.

**SCHENCK** Chairman Schenck administered the Loyalty Oath to Mr. Little. He congratulated him and welcomed him to Springettsbury Township.

**C. Recognition of Robert Drawbaugh and Presentation of Service Revolver**

**ESHBACH** Chief Eshbach introduced Detective Robert Drawbaugh, who retired on January 31, 2004 after serving 27 years with Springettsbury Township. Following the tradition in the Police Department to retire an officer's duty weapon with that officer, Chief Eshbach presented Detective Drawbaugh with his service weapon and thanked him for his work and years of service. Mrs. Drawbaugh was presented with a bouquet of red roses.

**BISHOP** Mr. Bishop read Resolution 04-28 in recognition of Robert Drawbaugh. He thanked him for his dedication and service to Springettsbury Township.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that there were no Executive Sessions for announcement at this time.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Bucharth Horn, Inc.**

**SCHENCK** Chairman Schenck stated that Mr. Schober had asked to be excused from attendance. Mr. Schober had submitted a written report to the Board.

**HODGKINSON** Mr. Hodgkinson noted that he had nothing to add to Mr. Schober's report.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani stated that he had provided a written report to the Board. A meeting had been held regarding road priorities, as well as an update by Mr. Holman concerning a discussion with the York County Municipal Planning Organization. A number of plans currently being reviewed were mentioned in his report. He reported that a brief Power Point presentation had been scheduled during the week of February 16<sup>th</sup> regarding the municipal storm sewer systems, as required by the Department of Environmental Protection. A standard ordinance currently is being reviewed by Solicitor Rausch. Most of the Township's ordinance covers what is required by current state law. Only a few additional updates will be needed. There is a March 10<sup>th</sup> deadline to meet regulatory requirements.

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**HOLMAN** Mr. Holman commented that the presentation will be made February 26<sup>th</sup> at 6:30 p.m. It is requirement that the Board review and understand the requirements. He just had received the ordinance and will forward it to the Board. Following review the ordinance will be placed for advertisement.

**Consensus of the Board was agreement to meet at 6:30 p.m. February 26, 2004 for the presentation.**

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 12, 2004**

**MR. DVORYAK MOVED FOR APPROVAL OF REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF FEBRUARY 12, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

**A. Request to Award Three-Year Contract to Ace Uniform Services, Inc. for Employee Uniform Services for Public Works and Wastewater Treatment at a cost of \$13,930.80 annually.**

**HOLMAN** Mr. Holman stated that an advertisement for uniforms for Public Works and Wastewater Treatment had been submitted. Low bidder was Ace Uniform Service at a cost of \$13,930.80, which was a budgeted item.

**SCHENCK** Chairman Schenck asked whether Ace was new to the area.

**HODGKINSON** Mr. Hodgkinson responded the company was unfamiliar to him as well. They are located in Baltimore; however, they have accounts in York and Harrisburg. They had provided five references, which Mr. Hodgkinson had contacted. All references were well satisfied.

**MR. BISHOP MOVED TO AWARD THE UNIFORM SERVICE CONTRACT TO LOW BIDDER, ACE UNIFORM SERVICES, INC. IN THE AMOUNT OF \$13,930.80. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Permission to Advertise Bids for Relocation of Eden Road.**

**SCHENCK** Chairman Schenck stated that this item was part of the Harley-Davidson plant expansion with funding primarily from the state through economic development.

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**DEBES**

Mr. Tim Debes of Nutec Design, project engineer on behalf of the Township, provided a short Power Point presentation of the overall roadway project. A summary of information follows:

- Westbound lane and interior south lane have been constructed.
- May, 2004 – right-ins and right-outs will be available.
- July, 2004 – should have a fully-functional signalized intersection
- Eden Road will be closed off and opened as an exit drive only.
  
- Relocation of Eden Road. Plan is to construct a by-pass around the west parking lot for better pedestrian safety.
- Road is to be raised at the Township’s request to be no lower than the 100-year flood plain due to previous flooding problems.
- Bids will be advertised Monday, February 16, 2004, with Township’s approval.
- Bids available to general contractors Monday, February 23, 2004, due March 16<sup>th</sup>, available to the Board April 8<sup>th</sup> with bid evaluation and recommendation of award.
- Formal Notice to Proceed May 3<sup>rd</sup>, substantial completion before deer season, wrap up of signage and demobilization by mid-December.
- Good weather will be needed for the contractor to stay on track.
- Harley-Davidson will restripe their parking lot to match up with the new drives.
- Additional parking will be made for the Visitor’s Center and additional motorcycle parking for the employees.

**BISHOP**

Mr. Bishop asked whether the Township would still own the old Eden Road.

**HOLMAN**

Mr. Holman responded that the Township will not own the old Eden Road, which will be turned back to Harley. The Township will own the new Eden Road.

**DEBES**

Mr. Debes reported that signed right-of-way agreements had been submitted to Andrew Stern. The Township will receive this as the new right-of-way from the base up.

**BOWMAN**

Mr. Bowman asked how high the road would have to be raised to be out of the flood zone.

**DEBES**

Mr. Debes explained that it would vary due to the tapering and grade levels from a minimum of three to a maximum of five feet.

**HOLMAN**

Mr. Holman asked about the entrance to the parking lots.

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**DEBES** Mr. Debes pointed out the entrance to the tourist center where some additional parking will be provided. He explained the employee entrances, fire rescue station and human resources, some of which driveways will be restricted. Sand Bank Road will remain a Township road back to the quarry with an exit drive for trucks only; right-hand turns will be prohibited, as will left-hand turns coming out of the quarry.

**BOWMAN** Mr. Bowman asked whether the water table would be affected by raising the road.

**DEBES** Mr. Debes responded that the flood waters cannot be restricted from flowing as in the past. There are five flood passage pipes that will allow the flood waters to come in and as the water recedes allow the water to go back out.

**BISHOP** Mr. Bishop asked whether there might be any scheduling or coordination issues to be considered.

**DEBES** Mr. Debes responded that the help of the Board or local politicians might be solicited for the resolution of the flood plain impact with the Commonwealth. He elaborated on the exchange of information with the Commonwealth for the endorsement of the project.

**BISHOP** Mr. Bishop asked whether there would be any serious problems should there be a delay.

**DEBES** Mr. Debes responded that the only impact would be toward Harley with some infrastructure improvements that will dovetail the project. Discussions have been held with Harley, and while delays would not be desirable, it would not be difficult.

**STERN** Mr. Stern introduced Terry Burns, a Plant Engineer at Harley-Davidson. Mr. Burns had been on the project team putting the project together.

**SCHENCK** Chairman Schenck welcomed Mr. Burns and stated he thought this was a great project. It had always been confusing with the Harley parking lot, the roads and the safety issues. The Township appreciated Harley's cooperation with the land swap and other issues.

**BURNS** Mr. Burns thanked the Township for their cooperation as well.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF BIDS FOR THE  
RELOCATION OF EDEN ROAD. MR. DVORYAK WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

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- C. Purchase Microsoft Server and Client Access Licenses – Capital Improvement Fund  
Total Cost \$16,075.32**
- D. Install MUNIS Software for Purchase Orders, Requisitions and Project Accounting  
– Capital Improvement Fund Total Cost \$8,738.58**

**HOLMAN** Mr. Holman suggested to act on items C and D together. He stated that the items had been budgeted and the costs are significantly less than proposed several years ago.

**SCHENCK** Chairman Schenck commented that there had been some effort made on both Mr. Holman's and Mr. Hinkle's behalf to explain the Township's expectations with regard to the software.

**DVORYAK** Mr. Dvoryak asked for clarification of the words "reinstating" and "reinstalling."

**HOLMAN** Mr. Holman responded that at one time there had been an encumbrance program, which the supplier had intended to re-sell to the Township; however, because there had been a relatively short period of time, they had been able to re-install it. All that will be required is the purchase of the license agreement for each year and will be purchased through state contract.

**MR. DVORYAK MOVED TO PURCHASE THE MICROSOFT SERVER CLIENT ACCESS LICENSES, ALONG WITH INSTALLING THE MUNMIS SOFTWARE FOR PURCHASE ORDERS, REQUISITIONS AND PROJECT ACCOUNTING AT A COST OF \$24,813.90. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Upgrade Township's Current Telephone System to include Springetts Fire Company – Capital Improvement Fund Total Cost \$24,950**

**SCHENCK** Chairman Schenck questioned the item. Originally he thought a telephone system was being purchased for the fire company; however, it sounded like it was a whole new system that would include the fire company.

**HINKLE** Mr. Hinkle responded that it would not be a new telephone system. It would be an addition to the current system that would add upgrades and tie into the fire department system.

**SCHENCK** Chairman Schenck commented that currently the only way to reach the firehouse is by going outside the network and calling their number.

**HOLMAN** Mr. Holman stated that the purchase order would not be issued immediately. They are reviewing options as they had just been advised that the firm will no longer be supporting the voice mail system. A meeting with the provider will be held shortly.

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- BISHOP** Mr. Bishop commented that the voice mail system is not even two years old.
- HOLMAN** Mr. Holman stated that the approval is needed in order to have it available; however they want to review alternate voice mail systems and a number of other alternates during the process. They are not pleased with the fact that this voice mail will no longer be supported.
- DVORYAK** Mr. Dvoryak asked about the history of the selection of Morefield as the vendor.
- HINKLE** Mr. Hinkle responded that it had been part of a bid package during the construction of the new building. Morefield was the 2<sup>nd</sup> to lowest bidder. It was put together by township staff and Morefield was recommended as the telephone equipment provider for the new building and the Township itself, including Wastewater, Police Department and the Main Building. A consultant provided guidance on what should be reviewed and what was needed. It was the consultant's recommendation to go with this voice mail system. It provided additional features that the Nortel system, which is Morefield, did not carry at that time. The current voice mail system is Repartee, and the manufacturer is discontinuing this product. Morefield cannot support it after this year.
- BISHOP** Mr. Bishop commented that \$24,950 sounded like a lot of money to get telephones in another location.
- HINKLE** Mr. Hinkle responded that \$9,000 is the cost to tie into the Fire Department, which would be part of the PBX system. Calls would come to the Township and be transferred; they will be part of the voice mail system, tied into the T-1 line and have all the same features the Township has. All the connectivity is in place.
- HOLMAN** Mr. Holman stated that the Purchase Order needed the Board's approval; however, it will be held for further review. They will come back to the Board with a further recommendation if the meeting with Morefield does not go well.
- BISHOP** Mr. Bishop asked whether anyone had talked with the consultant who recommended the voice mail system.
- HINKLE** Mr. Hinkle responded that he had not been contacted.
- SCHENCK** Chairman Schenck asked whether this would tie in Station 16.

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- HINKLE** Mr. Hinkle responded that it will.
- BISHOP** Mr. Bishop asked whether Station 17 would not need to be tied into the system.
- STERN** Mr. Stern responded that it would not be practical at the moment.
- HINKLE** Mr. Hinkle added that most of the administrative staff is on Market Street.
- SCHENCK** Chairman Schenck asked about on-going costs and whether there would be any offset. He commented on a previous telephone system issue, which had caused the price of the volunteer fire company's telephone service to be extremely high.
- STERN** Mr. Stern responded that the Township currently pays the telephone bills. In the past the telephone company paid the bill and the Township reimbursed them. At this time the Township pays the bill directly. He added that there are a number of issues to be clarified.
- SCHENCK** Chairman Schenck stated that Mr. Holman would like the authorization to spend the money; however, he would like to take that and use it for additional discussions.
- HOLMAN** Mr. Holman indicated that was correct and that they will be looking at other systems during this review.

**MR. BOWMAN MOVED TO APPROVE THE UPGRADE OF THE TOWNSHIP'S CURRENT TELEPHONE SYSTEM TO INCLUDE SPRINGETTS FIRE COMPANY, CAPITAL IMPROVEMENT FUND TOTAL COST OF \$24,950 UPON MR. HOLMAN'S FINAL REVIEW. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Permission to Advertise Bids for Marketing and Advertising Rights for the Summer Concert Series**

**MR. BISHOP MOVED TO AUTHORIZE STAFF TO ADVERTISE BIDS FOR MARKETING AND ADVERTISING RIGHTS FOR THE SUMMER CONCERT SERIES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. Lowe's Racking System – Outside Storage**

**SCHENCK** Chairman Schenck stated that he had personally reviewed the drawing and was pleased with the outcome.

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**STERN** Mr. Stern stated that he, Messrs. Luciani, Baugh, Lauer and Mike Gavin of Lowe's visited the site. The plan presented to the Board included a compilation of all their ideas, which they believe will be effective. The agreement was modified per Solicitor Rausch's comments and will be a recordable document along with the plan and attached to the property forever. There are provisions within the agreement to restore the parking if the Township determines parking is required. There is provision which, after 12 months, the Township can evaluate whether the proposal is accomplishing its purpose. If not, then there is a process for the Township to enforce compliance. Mr. Stern added that Lowe's had been very responsible to cooperate with the Township.

**SCHENCK** Chairman Schenck stated for clarification that the Board would be approving both the revised plan, as well as the agreement.

**STERN** Mr. Stern responded that both go together and will be recorded together. The Board will be approving the agreement, but the plan is an exhibit to the agreement.

**HOLMAN** Mr. Holman added that approval of the agreement will authorize the approval of the plan.

**STERN** Mr. Stern pointed out that it had been his recommendation with the earlier agreement that someone, in addition to the store manager, sign the agreement on behalf of Lowe's for accountability. He again made that recommendation.

**BOWMAN** Mr. Bowman commented that there are designated parking areas west of Office Max and behind Eat and Park. He asked where people park at this time.

**STERN** Mr. Stern responded that the employees park on the east side of the store near where the fenced in storage shows on the plan. They will move to the area least used, once the plan is enacted.

**BOWMAN** Mr. Bowman noted that he had counted parking places that amounted to about 27. He asked for the employee count.

**GAVIN** Mr. Mike Gavin responded that during the peak hours there are approximately 50; during the early morning and late evening hours there are closer to 25. He added that it fluctuated during the day.

**BOWMAN** Mr. Bowman stated that half the cars during peak hours would be parked by Office Max. He asked whether it would be marked.

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- GAVIN** Mr. Gavin responded that it was not intended to prevent other people from parking there, especially in light of Office Max. Part of the reason that space was selected was that it didn't seem that their customers were using it because of having to drive around to get into the parking area. Lowe's currently uses it for vehicles waiting to off load and thought it was a good place to put employee parking.
- SCHENCK** Chairman Schenck commented that the parking is somewhat self-regulating. Lowe's would not want its employees to park in front of the store, which is the most convenient for the employees, but not for customers.
- STERN** Mr. Stern noted that was one of the issues that had been resolved. Two years ago there was a growing parking problem and the Township denied permits to Red Lobster. The property owner of the mall met with the Township and then met with Lowe's and forced them to begin moving their employees out of the main parking area, which they have been doing. From the store back to the management area back to the restrooms, there are signs advising them to park in specific areas.
- BISHOP** Mr. Bishop asked whether the pickup/drop off area is one way from the back to the front and whether there would be any way to mark that from the front.
- GAVIN** Mr. Gavin responded that it is one way, and he recalled that a Do Not Enter sign had been proposed.
- STERN** Mr. Stern added that there is an arrow on the ground where the stop sign faces backwards; however, it does not state Do Not Enter.
- GAVIN** Mr. Gavin offered to add a Do Not Enter sign.
- BISHOP** Mr. Bishop stated that he thought people would go the wrong way there because it would be a natural flow to get to the back. He added that the drop off area is a good idea. He asked whether a customer could get into that area coming from the front of the store, driving north and coming back in to make the turn.
- LUCIANI** Mr. Luciani stated that the curb area is very wide. The area is protected but not restricted, but traffic is not wanted in and out of there.
- SCHENCK** Chairman Schenck thanked everyone involved and added that everyone's help was appreciated.

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- RAUSCH** Solicitor Rausch commented on the agreement and the operation for 12 months. He stated points from the agreement and asked about the Township's intent.
- STERN** Mr. Stern responded that the intent was that if the project did not meet the objectives the area would have to be returned to its original status without the racking; at that time the entire process would have to start over.
- HOLMAN** Mr. Holman commented that the approval would authorize the plan, along with a separate resolution for the authorization of the agreement.
- RAUSCH** Solicitor Rausch stated there would be no need for a separate resolution. The word "resolution" appeared several times in the agreement. He recommended that it be changed.
- GAVIN** Mr. Gavin responded that had been his error and offered to prepare a clean copy changing the word "resolution" to "agreement" and bring it back for execution by the Board. He added that, with the Board's indulgence, Lowe's requests that they would be allowed to go through the permitting process now. From Lowe's standpoint, spring is on the doorstep, and they want to get the racks up before receiving merchandise for the spring sale.
- SCHENCK** Chairman Schenck clarified that the Board would be approving the agreement between Springettsbury Township regarding the outside storage area.

**MR. BISHOP MOVED TO AUTHORIZE THE CHAIR TO EXECUTE THE AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND LOWE'S TO PROVIDE OUTSIDE STORAGE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

- BISHOP** Mr. Bishop commented that he did not believe that the Board had ever officially recognized the service of Lori Mitrick to Springettsbury Township by way of a Resolution.
- HOLMAN** Mr. Holman responded that a Resolution had been prepared. The plan was to add that to the meeting just before the tree dedication.
- BISHOP** Mr. Bishop stated that wouldn't be until next November.
- HOLMAN** Mr. Holman offered to add it to the next Agenda.

**9. SOLICITOR'S REPORT:**

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- RAUSCH** Solicitor Rausch stated he had nothing to add to his written report.
- BISHOP** Mr. Bishop commented on an item in his report, 1B3, and stated that he did not think the Board should completely rule out discussions about any kind of counter-action.
- RAUSCH** Solicitor Rausch stated he would get a date.
- HOLMAN** Mr. Holman commented that an Executive Session should be held regarding the subject.

**Chairman Schenck announced that an Executive Session will be held immediately following this meeting to discuss legal matters.**

**10. MANAGER'S REPORT:**

- HOLMAN** Mr. Holman updated the Board on the trash contract. He had a discussion with the Spring Garden Township Manager, who advised him they would be going out for trash contract bids as well. He asked the Board whether there would be any interest in the possibility of a joint contract.
- BISHOP** Mr. Bishop commented that the Spring Garden contract is completely different from Springettsbury's contract.
- HOLMAN** Mr. Holman stated that they are considering making some changes and amendments. He just wanted to know if the Board thought it would be worthwhile.
- SCHENCK** Chairman Schenck suggested to schedule some type of Work Session/meeting with the Recycling Committee, the Board and perhaps include Spring Garden to get the process moving. If there were to be joint bidding the assumption is that it would be less expensive, which may or may not be so. He added that Springettsbury has a renewal option available.
- BOWMAN** Mr. Bowman asked how much time would be needed if the Board made a decision to bid out the contract.
- SCHENCK** Chairman Schenck responded that it should be started very soon.
- BISHOP** Mr. Bishop commented that it should be finalized by October.
- SCHENCK** Chairman Schenck added that it should be earlier to give any potential new bidder time to ramp up, buy trucks, hire people, and get ready to go.

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**HOLMAN** Mr. Holman asked whether a Work Session should include the full Board or a representative from the Board, himself, and the Recycling Committee to review the options.

**SCHENCK** Chairman Schenck suggested to schedule a Work Session and advertise it. Invite the Recycling Committee, and whoever can make it can attend.

**BISHOP** Mr. Bishop added that it would be a Board decision, but the Recycling Committee could be helpful and should be involved. He added that he had no objection to discussion with Spring Garden.

**SCHENCK** Chairman Schenck added that they could be advised of the Work Session, and they could send a representative.

**Consensus was to hold a Work Session on Tuesday, March 2, 2004 at 7 p.m.**

**SCHENCK** Chairman Schenck brought up the item concerning the abandoned land by Rutters. He recalled that previously the land was not buildable; however, current advice indicated that it is.

**HOLMAN** Mr. Holman reported that Mr. Baugh had reviewed the matter, which revealed that the land meets dimension requirements to be buildable. He planned to obtain an appraisal and do further research of the deed to determine its status.

**SCHENCK** Chairman Schenck indicated that the Commonwealth was going to take it and then give it to Springettsbury.

**HOLMAN** Mr. Holman reported that he understood an agreement had been reached; however, he was unsure of what had been done after that point. Following receipt of an appraisal, it was his understanding that the Township would bid the property out through the bid process. He added that the property is zoned Residential.

**BISHOP** Mr. Bishop suggested to consider rezoning it Commercial before disposing of the property, which would potentially enhance the value.

**SCHENCK** Chairman Schenck noted that it is located tight up against another commercial property. He asked Mr. Holman to consider making that part of his review.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Ordinance No. 04-01 – Realty Transfer Tax**

**MR. BOWMAN MOVED TO ADOPT ORDINANCE NO. 04-01, REALTY TRANSFER TAX. MR. DVORYAK WAS SECOND.**

**RAUSCH** Solicitor Rausch stated he had received a telephone call from the Realtors' Association relating to the tax. He stated that 1% goes to the state, 1% is local, and ½% comes to Springettsbury Township.

**MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-28 – Recognition of Robert A. Drawbaugh**

**MR. DVORYAK MOVED FOR ADOPTION OF RESOLUTION 04-28, RECOGNITION OF ROBERT A. DRAWBAUGH. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-29 – Liquor License Transfer to K. Brothers, Inc. T/A Acworth Seafood.**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 04-29, LIQUOR LICENSE TRANSFER TO K. BROTHERS, INC. TRADING AS ACWORTH SEAFOOD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-30 – Amending Fee Schedule – Effective February 12, 2004**

**HOLMAN** Mr. Holman reported that the Fee Schedule had been adopted earlier during the year. An error had been determined, which caused excessive fees to those doing renovations to their properties. Staff recommended the revision, which lowers the fee and brings it more in line with what the fee should be.

**MR. BOWMAN MOVED FOR ADOPTION OF THE RESOLUTION NO. 04-30, AMENDING FEE SCHEDULE, EFFECTIVE FEBRUARY 12, 2004. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 04-31 – Removal of Street Light – Market Street and Edgewood Road**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-31, REMOVING A STREET LIGHT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 04-32 – Additional Street Lights – Intersection of Edgewood Road and Harrowgate Road**

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 04-32, ADDITIONAL STREET LIGHTS, EDGEWOOD ROAD AND HARROWGATE ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Resolution No. 04-33 – Adoption of Safety Manual**

**HOLMAN** Mr. Holman stated that several years ago the Township received a model safety ordinance. According to state law, if the Township is self-insured through a self-insurance fund, which Springettsbury Township is, it is necessary to have a safety ordinance adopted by mid-April. If the ordinance is not adopted, then the state could rule that the municipality should be removed from that self-insurance funding. A safety manual is necessary in any event. Mr. Holman had worked with the directors on the General Safety Manual, which will apply to all employees and offices of Springettsbury. In addition, there are specific appendixes that will deal with Wastewater and Public Works. Mr. Stern will complete the appendix dealing with Fire. There may or may not be an appendix for the Police Department. Adopting this manual will meet the insurance requirements. A Safety Committee will be organized, in order to be in full compliance with OSHA and Pennsylvania regulations.

**SCHENCK** Chairman Schenck added that, once the ordinance is adopted, as changes are required they can be made and implemented.

**HOLMAN** Mr. Holman commented that updates will be made constantly and reviewed by the Safety Committee. He will update the manual on an annual basis and provide same to the Board. .

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 04-33, ADOPTION OF A SAFETY MANUAL. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Resolution No. 04-34 – Ad Hoc COLA Adjustments for Pre-1996 Retirees**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION 04-34, AD HOC COST OF LIVING ADJUSTMENTS FOR PRE-1996 RETIREES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Reorganization Meeting – January 5, 2004**
- B. Board of Supervisors Special Meeting – January 22, 2004**
- C. Board of Supervisors Regular Meeting – January 22, 2004**

**MR. BOWMAN MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REORGANIZATION MEETING, JANUARY 5, 2004, JANUARY 22,**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 12, 2004  
APPROVED**

**2004 SPECIAL MEETING, AND JANUARY 22, 2004 REGULAR MEETING AS  
SUBMITTED. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**BISHOP** Mr. Bishop suggested that the Board accept Gil Chapman's letter of resignation from the Rec Board.

**MR. BISHOP MOVED TO ACCEPT THE RESIGNATION OF GIL CHAPMAN FROM THE PARK AND RECREATION BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked that a letter of thanks be sent to Mr. Chapman for his service.

**HOLMAN** Mr. Holman asked for recommendations for nomination to the Rec Board. He stated that there are two openings.

**BOWMAN** Mr. Bowman responded that he might have someone in mind who would be interested. He offered to contact the individual.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt and Make Available for Public Review – Audit Report for Liquid Fuels Tax Fund (year ended December 31, 2002).**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE AUDIT REPORT FOR LIQUID FUELS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt and Make Available for Public Review – Audit Reports for Paid Firemen's, Police, and Non-Uniformed Pension Plans (period January 1, 2001 to December 31, 2002).**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE AUDIT REPORT FOR FIREMEN, POLICE AND NON-UNIFORMED PENSION PLANS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**A. Acknowledge Receipt of the 2002 Police Department Annual Report**

**SCHENCK** Chairman Schenck asked about the 2002 date for the report.

**ESHBACH** Chief Eshbach responded that normally the Board would be presented with that document during the budget sessions. Due to the fact that the report could not be presented during budget sessions, and he was out for an extended period of time, he had just submitted the report.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 12, 2004  
APPROVED**

**MR. BOWMAN ADKNOWLEDGED RECEIPT OF THE 2002 POLICE DEPARTMENT ANNUAL REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck reminded the Board of the Executive Session to be held immediately following adjournment.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**FEBRUARY 12, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, February 12, 2004 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order and welcomed the attendees.

**2. NEW BUSINESS:**

**SCHENCK** Chairman Schenck explained that the purpose of this Public Hearing was to receive input from the residents regarding the request of transfer of a liquor license from the Tre-Mar to K. Brothers, Inc. T/A Acworth Seafood.

**LUTZ** Attorney Paul Lutz, who represented K. Brothers, Inc., stated that his client was attempting to acquire a liquor license from the Tre-Mar Restaurant. K. Brothers, Inc. is owned by Jim and Karl Kurnik, who operate Acworth Seafood, formerly on Eastern Boulevard, now located on Industrial Highway. They recently acquired the adjoining property and plan to expand the seafood business by opening a seafood restaurant. The liquor license would complement the seafood menu. The facility would be a restaurant with no intent that it becomes a tavern or nightclub establishment. The hours of operation would be 11 a.m. to 10 p.m. There are no plans at this time for take out; however, that may change with demand.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**FEBRUARY 12, 2004  
APPROVED**

- SCHENCK** Chairman Schenck asked whether he had any direction for the Board during this application process. He commented that it would still be subject to approval by the State of Pennsylvania.
- LUTZ** Attorney Lutz responded that the Liquor Control Board would be responsible for the final approval; however, the municipality approval was necessary as a first step.
- HOLMAN** Mr. Holman clarified that the zoning would provide for such an establishment.
- BISHOP** Mr. Bishop asked for an explanation of that zoning.
- BAUGH** Mr. Baugh responded that the location is in a Commercial Zone.
- RAUSCH** Solicitor Rausch asked about the seating capacity.
- LUTZ** Attorney Lutz responded that the restaurant would seat an estimated 50 patrons subject to final design.
- RAUSCH** Solicitor Rausch asked whether the Tre-Mar license was a restaurant liquor license.
- LUTZ** Attorney Lutz responded that was correct.
- SCHENCK** Chairman Schenck opened the floor for public comment or questions.
- NIMMO** Mr. Robert Nimmo stated that he recently purchased Nemo Pools. He stated it would be nice to have an upscale restaurant in that location.
- SCHENCK** Chairman Schenck stated that action will be taken on the liquor license transfer during the regular meeting scheduled for 7 p.m.

**3. ADJOURNMENT:**

- SCHENCK** Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 22, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, January 22, 2004 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Nick Gurreri  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Lt. Scott Laird, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
Andrew Stern, Assistant to the Township Manager  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order and welcomed the attendees. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed everyone and introduced Reverend David Ritterpusch of Advent Lutheran Church.

**RITTERPUSCH** Reverend Ritterpusch provided a blessing over the meeting.

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**SCHENCK** Chairman Schenck thanked Mr. Gurreri for his work in putting together the Opening Ceremony.

**B. Loyalty Oath – Officer Jeffrey Leer**

**LAIRD** Lt. Laird introduced Jeffrey Leer, who began his employment with Springettsbury Township as of January 5, 2004. With this new officer, the Police Department complement includes 30 officers.

**SCHENCK** Chairman Schenck administered the Oath of Office.

**LEER** Officer Leer introduced his father, mother, aunt and girlfriend.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session would be held immediately following the regular meeting to discuss legal matters related to the Hunters Crossing development. He added that there had been no Executive Sessions held since the last meeting.

**3. COMMUNICATION FROM CITIZENS:**

**MILLWATER** **Kingswood Estates - Acreage**  
Mr. Harry Millwater of 419 Pinehurst Road asked how many acres would be included in the Kingswood Estates development.

**BAUGH** Mr. Baugh responded that it included approximately 28 acres.

**MILLER** **Street Light – Harrowgate and Edgewood Road**  
Mr. Fred Miller of 3160 Round Hill Road commented that the intersection of Harrowgate and Edgewood Road at The Hill is extremely dangerous at nighttime. Coming up the hill a motorist cannot see turning right into The Hill. He suggested that a street light placed there would be a very inexpensive solution.

**GURRERI** Mr. Gurreri commented that he used that intersection frequently and agreed that it was very dark.

**BOWMAN** Mr. Bowman agreed as well.

**HOLMAN** Mr. Holman responded that the staff had been reviewing the issue.

**LAUER** Mr. Lauer commented that a response had been received from the electric utility, along with a quote for \$168.00 to place a light at that intersection.

**HOLMAN** Mr. Holman indicated that they are moving forward with the project.

**MILLER** Mr. Miller asked how soon that light could be expected.

**SCHENCK** Chairman Schenck stated that the Township was not responsible for putting the lights up. The power company will schedule the

installation and would piggyback to some Township ordinances to pay for them.

**LAUER** Mr. Lauer added that the project is in the engineering stage.

**SCHENCK** Chairman Schenck stated the light would probably be installed by spring.

**Kingswood Estates – Pricing of Homes**

**ZIMMERMAN** Mr. Gary Zimmerman of 407 Pinehurst Road asked about the price for the homes to be built in the Kingswood Estates development. He heard it was to be upscale.

**SCHENCK** Chairman Schenck indicated that Mr. Zimmerman would have an opportunity to ask questions during the time the Board acts further down on the Agenda. He indicated that the Township is involved in setting property lines and making sure the development itself meets Township ordinances. As far as the homes that a developer builds, other than making sure they meet the Building Codes, they set the standard for the homes.

**BAUGH** Mr. Baugh speculated that the homes would be in the upper to mid-range; not the most expensive home in the Township but among the more expensive.

**GURRERI** Mr. Gurreri stated that the development would go to the Planning Commission and come back to the Board in March. The developer will attend during that meeting and could answer questions.

**SCHENCK** Chairman Schenck clarified that the action to be taken related only to some waivers related to the site and not the entire plan.

**SCHENCK** Chairman Schenck thanked the citizens for their comments and stated that many of the actions taken in the Township are a result of what is heard at the meetings from the citizens.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**SCHOBER** Mr. Schober reported that the pre-construction conference was held on the Bar Screen project. The contractor was optimistic about completing the project on time and under budget. A schedule had been provided, and shop drawings are being prepared. Mobilization is expected in April or May with

demolition. Equipment will be delivered shortly thereafter and the project completed during the summer.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani had provided a written report for the Board and had no additions to his report.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of January 22, 2004**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF JANUARY 22, 2004. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS & CONTRACTS:**

- A. Change Order Request No. 22 – Solids Handling Improvements – X-ray Work for Thickener Building - \$1,678.65**
- B. Change Order Request No. 31 – Solids Handling Improvements – Additional Seamless Floor - \$825.**
- C. Change Order Request No. 35 – Solids Handling Improvements – Revised Drain Line/Vent – No Cost.**
- D. Change Order Request No. 37 – Solids Handling Improvements – Thickener Air Line Solenoid – No Cost.**
- E. Change Order Request No. 38 – Solids Handling Improvements – Bollard/Paving Credit – Additional Rebar – No Cost.**

**MR. DVORYAK MOVED FOR APPROVAL OF ITEMS 6A THROUGH 6E. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Request to Purchase Two Replacement Police Vehicles – Total Cost with Options is \$45,822 (purchase orders 1209 & 1210).**

**SCHENCK** Chairman Schenck asked Mr. Holman whether the two items had been included in the budget.

**HOLMAN** Mr. Holman responded that the items had been included in the General Fund budget and would be purchased under the Pennsylvania state purchasing program.

**LAIRD** Lt. Laird stated that the new vehicles would replace vehicles that had been driven more than 100,000 miles.

**SCHENCK** Chairman Schenck asked whether the older vehicles would be sold.

**LAIRD** Lt. Laird responded that they would be placed for bid.

**MR. BOWMAN MOVED TO APPROVE THE REQUEST TO PURCHASE TWO REPLACEMENT POLICE VEHICLES WITH A TOTAL COST WITH OPTIONS AT \$45,822. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-03-02 – Motter Tract – Action on Waivers**

**BAUGH** Mr. Baugh provided background information as stated in his memorandum of January 16, 2004. The purpose of the plan is to combine lots 1A and 1B of the parent tract to form Lot 1; Lot 2 is the remaining area of the parent tract. The tract is located at 3900 East Market Street. The applicant requested several waivers (preliminary plan, cul-de-sac length, sidewalks and street widths) at the Planning Commission meeting of January 15, 2004, which the Commission recommended granting. Staff concurred with the Planning Commission's recommendations.

**LUCIANI** Mr. Luciani stated that the cul-de-sac length had been lengthened to accommodate the Fincor driveway in the future.

**SCHENCK** Chairman Schenck clarified that the action would only pertain to the waivers, not to the plan itself.

**BISHOP** Mr. Bishop asked for clarification about the sidewalk.

**LUCIANI** Mr. Luciani responded that the cul-de-sac would be built per the PennDot HOP. An industrial development is planned; however, at the rear of the property is a residential piece along Eastern Boulevard. Their intent is to build sidewalks only on one side of the cul-de-sac, the west side. They're asking for a waiver of putting sidewalks on the east side.

**BAUGH** Mr. Baugh stated that the waiver would apply to what would be the east side and the cul-de-sac, since the developer is not certain what buildings will go in those lots, and they would like to put them in at the time of development. He suggested providing the notification at time of Building Permit.

**LUCIANI** Mr. Luciani commented that the other area along Locust Grove Road required curb, sidewalk and widening.

**MR. BISHOP MOVED IN SD-02-03 MOTTER PRELIMINARY/FINAL  
SUBDIVISION PLAN TO GRANT THE FOLLOWING:**

- **WAIVER TO PRELIMINARY PLAN;**
- **WAIVER TO CUL-DE-SAC LENGTH;**
- **MODIFICATION TO SIDEWALK. THE MODIFICATION IS TO ELIMINATE THE REQUIRED SIDEWALK ON THE WEST SIDE OF THE ENTRY DRIVE;**
- **ADDITIONAL MODIFICATION FOR STREET WIDTH. THE MODIFICATION APPLIES ONLY TO LOCUST GROVE ROAD AND REQUIRES THE APPLICANT TO PLACE A NOTE ON THE PLAN STATING THAT THE APPLICANT WILL ADDRESS ALL LOCUST GROVE ROAD REQUIREMENTS DURING THE LAND DEVELOPMENT PROCESS FOR THE RESIDENTIAL PART OF THIS DEVELOPMENT SUBDIVISION.**

**MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. SD-03-18 – Kingswood Estates – Action on Waivers**

**BAUGH**

Mr. Baugh provided background information, as stated in his January 16, 2004 memorandum. Kingswood Estates is located in the southwest corner of Kingston Road and Edgewood Road. A single family residence is located on primarily a wooded lot with moderate to steep slopes. The proposal is to subdivide the parcels into 53 single-family detached lots. At the January 15, 2004 meeting of the Planning Commission, the requested waivers including street widths and cul-de-sac length were recommended. However, the Commission recommended denial of the waiver request for curb and sidewalks. Currently there is sidewalk located within 1200 feet of the area. This section of sidewalk would contribute to a continual sidewalk system for the corridor. There may be maintenance concerns; however, safety concerns outweigh them. The Park and Recreation Committee recommended sidewalks along Edgewood as well.

**GURRERI**

Mr. Gurreri asked whether the Fire Chief had reviewed the plan for the cul-de-sac. He asked whether the road was wide enough for fire vehicles to get in and out.

**STERN**

Mr. Stern responded that Dan Flohr had visited the site and had provided his comments. He stated that the road is wide enough. The Fire Code would prefer to have less cul-de-sacs and wider streets, but the developer can't be told how to design the development.

**HOLMAN**

Mr. Holman mentioned that the only other exit to that cul-de-sac would end up going onto Route 24, which would be an unsafe exit.

**LUCIANI** Mr. Luciani added to Mr. Holman's comment in that the developer had sketched that exit to Route 24 into the plan with a potential right-, right-out. However, it was determined that motorists coming down Kingston Road with traffic backed up on Edgewood would have a tendency to cut through the development and by-pass that signal. For several reasons it was decided to eliminate that access, and that warranted the additional cu-de-sac length, which seemed to be a better solution. As part of the plan, there will be a right turn lane on Kingston Road.

**BISHOP** Mr. Bishop mentioned that consideration should be given up front to the maintenance of the sidewalks. It clearly should be the homeowner's responsibility.

**HOLMAN** Mr. Holman commented that a note on the plan would further state that the maintenance of the sidewalks is the responsibility of the homeowner.

**BRENNEMAN** Jason Brenneman of Holly Associates represented the plan and commented on the suggestions by the Park and Recreation Board at a meeting held Monday, January 19th. They agreed not to have sidewalk for the complete part of Edgewood. He provided a plan (which the Planning Commission had not seen yet) and some photographs of explanation to the Board. The Park and Rec Committee did not feel it was safe to walk up and down Edgewood on the sidewalk. They had asked for sidewalks in the interior of the development up to lots 30, 31, and have a pedestrian easement up Monarch Way instead of extending sidewalk along Edgewood.

**BAUGH** Mr. Baugh reported that he had received a memorandum from Mr. Wendel earlier during the week stating that the concerns raised by Park and Recreation Board included improving pedestrian movement to nearby parks east of the site, Penn Oaks Park and west, Kingston Park. Their recommendations were for the developer to create a 10-foot pedestrian easement between Lot 31 and 32 so access can be created for Monarch Way and Edgewood Road. Further that they would like sidewalk placed around the corner of Edgewood and Kingston and, if possible, extending south on Edgewood to the end of Lot 21.

**BISHOP** Mr. Bishop commented a pedestrian easement was a great argument, but he disagreed.

**SCHENCK** Chairman Schenck asked whether there is sidewalk further down to the north on Edgewood and whether it was less dangerous there for any particular reason.

**BRENNEMAN** Mr. Brenneman responded that it is the topography of the land. It's flat north of Edgewood.

**SCHENCK** Chairman Schenck asked whether the developer's sidewalk would be flat.

**BRENNEMAN** Mr. Brenneman responded yes, but that there would be very little room to move. They're going to have the curb, either two or four foot grass strip; four feet of sidewalk and then a little bit of room. In case of an accident no one will be able to get out of the way.

**BISHOP** Mr. Bishop commented that it sounded like a job for the Homeowner's Association.

**MR. BISHOP MOVED IN THE CASE OF SD-03-18, KINGSWOOD ESTATES PRELIMINARY SUBDIVISION PLAN TO GRANT:**

- **WAIVER FOR SECTION 502, CUL-DE-SAC LENGTH;**
  - **MODIFICATION FOR SECTION 502 ( C ) STREET WIDTHS WITH THE MODIFICATION TO APPLY ONLY TO EDGEWOOD AND KINGSTON ROADS;**
  - **DENY THE WAIVERS OF SECTION 407 CURB AND 408.1 SIDEWALK.**
- MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-03-11 – Gary Wesner – Action on Waivers**

**BAUGH** Mr. Baugh provided background information as stated in his January 16, 2004 memorandum. The subdivision is located at 3820 Ridgewood Road, which includes a single 9.39 acre lot. The proposed plan is to subdivide the current site into three lots, including the existing dwelling. The applicant requested several waivers. At the January 15, 2004 meeting the Planning Commission recommended granting the waiver from preliminary plan. However, they recommended denial of the waiver request for street widths, curb and sidewalk, landscaping and buffer yards and street lights. Century Woods and Springetts Oaks have widened the road and installed sidewalk and curb. The Ness property has curbing along Ridgewood. The trees on the applicant's property are not near the road. Century Woods has street lights, and complying with these sections would be in keeping with the characteristics of the general area. Staff concurs with the Commissions recommendations.

**TROUT**

Mr. Byron Trout, Gordon Brown Associates, represented the applicant, Gary Wesner. He addressed the waivers that had been recommended for denial, street widths, curb and sidewalk, landscaping and buffer yards and streetlights. Mr. Trout first discussed the landscape and buffer yard ordinance. He questioned whether or not this subdivision would be required to do any kind of landscaping and buffering. He quoted section 411 of the ordinance, “in residential subdivisions of six or more lots, a minimum of one tree per lot or one tree per 100 feet of street frontage must be provided.” He stated that there are only three lots in this subdivision and, therefore, would not fall into that category. The ordinance later comments to “other residential developments” and they do not consider this subdivision to be a residential development. They believe it had been written more for townhouse, apartment or condominium developments. Their intention is to subdivide into three parcels, an existing dwelling, an eight-acre parcel and a three-acre lot for a third residence.

**BISHOP**

Mr. Bishop asked Mr. Trout if his contention was that the ordinance does not contemplate the requirements for single-family dwellings.

**TROUT**

Mr. Trout reiterated the section of the ordinance stating “residential subdivisions of six or more lots” and the requirement for trees. They do not believe they fall under that criteria because they have only three lots. He added that they have approximately 1400 feet of road frontage, and calculated they would have to put in approximately 84 trees and 180 shrubs. The opposite side of the road is in a R4 zone. He had written the waiver request based on comments received from staff.

**TROUT**

Mr. Trout addressed the requirement for streetlights. He stated that they are subdividing the existing road frontage. There are no streetlights along Ridgewood Road, and their plan would be in keeping with the general layout of the existing area. They would put an individual pole light rather than street lights.

**TROUT**

Mr. Trout addressed the requirement for curbs and sidewalks. He cited the adjoining properties across the street and to the east are developed with existing homes with no curb, sidewalk or widening. The subdivision to the west has widening and curb, with internal sidewalk, but no sidewalk along Ridgewood Road. The subdivision along High Rock Lane does have curb and sidewalk. Those projects sit along the top of the hill. This subdivision is located at the low point where the stream and wetlands are. By curbing a road the water will be directed away

from the wetlands, controlling the water to a specific point, which is at the low point where the existing culvert is and adding additional water into a culvert and into a drainage system, channel or stream that runs down through the property.

**SCHENCK** Chairman Schenck commented that he recalled sections of the subdivision ordinance did not apply, and he thought it was four lots or less.

**BAUGH** Mr. Baugh stated that Mr. Trout was correct in that it begins by saying, "in residential subdivisions of six or more lots, the developer shall provide a minimum of one tree per lot, etc." However, it continues in the same paragraph, "in all other residential developments the buffer yards and landscaping shall be provided in accordance with this section" and this section in this case would require a Type 1 buffer yard.

**TROUT** Mr. Trout commented that it says, "in residential development" not subdivision.

**BISHOP** Mr. Bishop asked whether "residential development" was defined.

**TROUT** Mr. Trout responded that he had checked and it was not defined.

**SCHENCK** Chairman Schenck asked whether four-lot projects would not require a Land Development.

**LUCIANI** Mr. Luciani responded that he was correct. There have to be some provisions for landscaping. It appeared that this development was not proposing any trees at all. For a Type 1 buffer, it requires three trees per 100 feet, and over a 1400-foot distance it would amount to 42 street trees and 15 shrubs.

**BISHOP** Mr. Bishop stated that this would be negotiable during Land Development as opposed to completely waiving any requirement.

**TROUT** Mr. Trout stated that his client, Gary Wesner, indicated that he planned to do some landscaping. The eight-acre lot will be for his personal residential dwelling, and some trees are planned there. Most of the existing trees are in the rear with a wooded lot.

**GURRERI** Mr. Gurreri asked what the development would buffer against.

**TROUT** Mr. Trout responded that it would buffer a R4 conservation zone.

- BAUGH** Mr. Baugh suggested having the applicant submit an alternative landscaping plan, which could be considered as the plan goes through the process. There did not appear to be a need to act on the buffer yard immediately.
- TROUT** Mr. Trout indicated he did not have a problem with that. He apologized to the Board and the staff because they were not aware of some of the comments he had made.
- SCHENCK** Chairman Schenck commented on the area further east on Ridgewood. There are lots that are developed but with no curb, sidewalks. They are large lots, and there is really nothing preventing them from being subdivided in the future, which would trigger the requirement for curbing and sidewalks.
- TROUT** Mr. Trout responded that he had requested, as part of the waiver request, the standard six-month note on the plan that if something would happen farther down the line on some of those lots, with six-month written notice by the Township then they would do the improvements to Ridgewood Road.
- BISHOP** Mr. Bishop asked whether that was the request made to the Planning Commission.
- TROUT** Mr. Trout responded that the six-month note had been on the standard application request. However, it had not been discussed.
- SCHENCK** Chairman Schenck asked whether the lot on the existing road wrapped around with sidewalk and whether it would come right up to this property.
- TROUT** Mr. Trout responded that it does.
- BISHOP** Mr. Bishop asked whether there was anything time critical about this project at this moment. He commented that, given the fact that Mr. Trout had not had his arguments prepared until he arrived at the meeting, and it seemed like he had new information that the staff hasn't had a chance to analyze, it might behoove everyone to step back and provide a chance to talk about this and come back with a new plan. It might only be a two-week delay until the next meeting.
- TROUT** Mr. Trout indicated he did not have a problem as far as the street trees because some landscaping would be included in the plan. However, this project could drop because of immediately having to do road widening curb and sidewalk.

- SCHENCK** Chairman Schenck stated that one of the reasons the Board had taken a new approach of approving waivers ahead of final approval was just to Mr. Trout's point. It was uncomfortable to have developers come forward with big open questions that could kill a project or cause them real harm at the 11<sup>th</sup> hour. The new process will review the waivers early in the process, which is a positive approach. He indicated that personally he would have great difficulty waiving the street width, curb and sidewalk. However, he could see a modification to the landscaping.
- GURRERI** Mr. Gurreri asked where the water would be cut off. He indicated concern about the runoff and the wetlands.
- TROUT** Mr. Trout responded that there is a low point where there is a 36" pipe. If curbing would be required, everything would be directed to that point. Part of the area is wet lands, and currently the water flows across the site and ultimately goes into a channel running around a pond and down to the low point. The water will then be channeled along Ridgewood down to the existing inlet with some storm water improvements done at that time.
- LUCIANI** Mr. Luciani indicated that the storm water management would be reviewed in the next stage.
- SCHENCK** Chairman Schenck cautioned Mr. Trout that water could not be diverted out of a wetland area. He indicated that he should not assume just because a curb is put in, that would be enough. He added that they might have to do more storm water work than anticipated.
- BISHOP** Mr. Bishop commented that assuming the waiver request would be denied; there would be nothing in that denial that precludes it coming back at a later meeting if there is some sort of discussion, negotiation or a different plan.
- RAUSCH** Solicitor Rausch agreed.
- GURRERI** Mr. Gurreri thought it would be better just to wait for the two weeks and allow the staff time to review it.
- TROUT** Mr. Trout indicated he did not have a problem waiting on the trees and buffering, but he would like an answer on the street widths, curbs and sidewalks.

**MR. BISHOP MOVED IN THE CASE OF SUBDIVISION 03-11, GARY WESNER  
FINAL SUBDIVISION PLAN TO GRANT:**

- **WAIVER FOR SECTION 304 PRELIMINARY PLAN;**
- **DENY THE WAIVERS FOR SECTION 502 ( C ) STREET WIDTHS, 407 AND  
408.1 CURB AND SIDEWALK, 411 LANDSCAPE AND BUFFER YARDS  
AND 412 STREET LIGHTS.**

**MR. BOWMAN WAS SECOND.**

**TROUT** Mr. Trout commented on street light waiver. He indicated that putting streetlights along Ridgewood would be the only area with streetlights along the three-lot residential subdivision. He asked the Board to look at each waiver individually.

**SCHENCK** Chairman Schenck responded that he would have the opportunity to come back for further discussion concerning landscaping and street light concerns.

**MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop stated that he personally did not like having the staff sandbagged at these meetings. The Board had gone to great lengths to allow them to be prepared. An apology did not mean Mr. Trout did not do it.

**TROUT** Mr. Trout responded that the only point he had sandbagged the staff on concerned the section 411 regarding streetlights. He had not had an opportunity at the Planning Commission to discuss anything. He had filled out the application, which included the proposed individual lights.

**SCHENCK** Chairman Schenck asked whether he would come back and discuss the landscaping and streetlights with the staff.

**TROUT** Mr. Trout responded that he would discuss it with his client and if so directed, he would do so.

**D. Windsor Township (Shadow Ridge Development) Sewage Planning Module –  
Action**

**BAUGH** Mr. Baugh provided background information as provided in his January 16, 2004 memorandum. The proposed development in Windsor Township will create 160 residential lots to be sewered by the Springettsbury Sewage Facility. The EDU's are included in the Chapter 94 Report. Staff recommended approval of the sewage module.

**MR. GURRERI MOVED TO APPROVE THE SHADOW RIDGE, WINDSOR TOWNSHIP, SEWAGE PLANNING MODULE FOR 160 UNIT RESIDENTIAL DEVELOPMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Comprehensive Plan and Land Use Ordinances Recommendation – Action**

**BAUGH** Mr. Baugh reported that at the January 15, 2004 meeting of the Planning Commission recommended a new Comprehensive Plan, Zoning Ordinance, Subdivision and Land Development Ordinance and Stormwater Management Ordinance be prepared for consideration by the Board of Supervisors. The Planning Commission action initiated the request in order to begin the process.

**MR. DVORYAK MOVED TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION TO PREPARE A NEW COMPREHENSIVE PLAN, ZONING ORDINANCE, SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND STORM WATER MANAGEMENT ORDINANCE FOR CONSIDERATION BY THE BOARD OF SUPERVISORS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri stated that an appointment needed to be made to the YAMPO Technical Committee. He had suggested Mr. Holman's name.

**SCHENCK** Chairman Schenck asked Mr. Holman if that appointment would be something he was interested in doing.

**HOLMAN** Mr. Holman stated that he would like to become involved. He would be nominated to be placed on the committee.

**GURRERI** Mr. Gurreri added that it would be an asset to have Mr. Holman on that Committee.

**Consensus of the Board was that Mr. Holman would be placed in nomination to serve on the YAMPO Technical Committee.**

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report to the Board.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had nothing to add to his written report to the Board.

**BISHOP** Mr. Bishop commented that he would like to better understand what is new and what is not new in Mr. Holman's reports.

**HOLMAN** Mr. Holman responded that he would be happy to bold the new information.

**BISHOP** Mr. Bishop stated he appreciated receipt of a copy of the garbage contract. Three years ago he had begun sounding the alarm very early that there was a need to begin working on the garbage contract. It ended up being done late, being extending and having problems. He stated that his comments were to be considered as the sounding of the alarm. He added he knew he did not need to do that with Mr. Holman as Township Manager. He added one idea. A garbage contract to him is not a trivial pursuit. There are a number of core issues that will need to be addressed. There are some people on the Recycling Committee that will be amazed to hear this, but he seriously suggested going to 100% tag-a-bag approach. He was not sure exactly what that would mean, but it is something well worth review. He suggested that everyone look at the contract with an open mind going forward. It will take some work.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop's comments. It is a concept that really needed to be explored. Paying exactly for the service received sounded very appealing.

**GURRERI** Mr. Gurreri asked how much time remained on the contract.

**SCHENCK** Chairman Schenck responded that there is one year, but time is needed to bit it.

**HOLMAN** Mr. Holman stated that there are options in place to renew for one year at a time for three years. Those will be reviewed as well. He had sent the contract to everyone in order to provide the chance for review. He had reviewed it but had not discussed the issue tag-a-bag. Other various options had been reviewed.

**BISHOP** Mr. Bishop added that there is the option of the large item every week. There are a number of things there that are worth review.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

**A. Resolution No. 04-27 – Authorizing the Declaration of Certain Emergencies Consistent with the Law**

**HOLMAN** Mr. Holman reported that the law with regard to CDL drivers and the hours driven had not previously affected municipalities. However, it does now under a new statute. In an emergency situation if Mr. Lauer needed authorization for an unusual storm in order to have his drivers drive a little longer than they may be allowed, if this Resolution is passed, Mr. Holman would have the right to declare such emergency. Mr. Holman stated he would then bring it back to the Board at the next meeting to confirm it. Mr. Holman stated that Manchester Township has passed such a Resolution. It had been brought to Mr. Holman's attention by both Dave Raver and Mr. Lauer. Mr. Holman added that it be very unusual to declare this type of an emergency, because Mr. Lauer does a very good job of rotating his people.

**LAUER** Mr. Lauer added it would protect the Township more in a blizzard situation. The drivers are allowed only to drive a straight nine hours and then they must be off. Usually they work a 16-hour shift, but if they go home in a blizzard, they're not coming back.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 04-27 AUTHORIZING THE DECLARATION OF CERTAIN EMERGENCIES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – January 8, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JANUARY 8, 2004 AS SUBMITTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of December 31, 2003 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE DECEMBER 31, 2003 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman brought forward an item which required a Motion for three items, which included approval of the Fireman and Fireman Captain Job Descriptions and the Drug and Alcohol Policy, which will go into place for the Fire Department. He had been working together with the Fire Department, and all the items had been approved by the bargaining unit. Mr. Holman would like to move forward with the drug and alcohol training, as well as the Job Descriptions.

**MR. BISHOP MOVED TO APPROVE THE DRUG AND ALCOHOL POLICY AND THE UPDATED FIREMAN AND CAPTAIN JOB DESCRIPTIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck reminded the Board of the previously announced Executive Session to be held immediately following the meeting.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
SPECIAL MEETING**

**JANUARY 22, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting on Thursday, January 22, 2004 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop  
Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO PRESENT:** John J. Holman, Township Manager  
John Luciani, Township Engineer  
Charles Lauer, Director of Public Works

The Board of Supervisors held a special meeting on the above date and time to review a priority listing for road improvements.

Mr. Luciani presented spreadsheets listing Springettsbury Township road improvement projects and PennDOT transportation improvement projects (YAMPO).

The Board reviewed the spreadsheets and added the following:

- Market Street west of Mt. Zion Road
- Whiteford Road
- Market Street/Haines Road Traffic
- Haines Road
- Rt. 24 Corridor - Mt. Zion Road/Eden Road

Mr. Luciani stated he would prepare a revised road projects spreadsheet.

Chairman Schenck stated a special meeting to further discuss road improvement projects is scheduled for 6:00 p.m. on February 12, 2004.

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 8, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held a regular meeting on Thursday, January 8, 2004 at 7:15 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Schenck, Chairman  
Nick Gurreri  
Don Bishop, Vice Chairman  
Mike Bowman, Secretary/Treasurer  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
David Eshbach, Chief of Police  
Mark Hodgkinson, Director of Wastewater Treatment  
Charlie Lauer, Director of Public Works  
Andrew Stern, Assistant to the Township Manager  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order and welcomed the attendees. He asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed everyone and provided a blessing over the meeting.

**DVORYAK** Mr. Dvoryak led the Pledge of Allegiance.

**GURRERI** Mr. Gurreri congratulated Mr. Schenck on his appointment as Chairman of the Board and Mr. Bishop as Vice Chairman. He thanked Mr. Bishop for his excellent job as Chairman. He also congratulated Mr. Bowman for his work as Secretary/Treasurer.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session was held at 6 p.m. this date regarding legal and personnel matters.

**3. COMMUNICATION FROM CITIZENS:**

**WHITE** Mr. Paul White, 2297 Spanglers Circle, spoke on behalf of the Woodlands Homeowners Association and neighbors in the area of Deininger Road. He produced a petition from the citizens of that area. He stated the great concern of the citizens about the accidents at the intersection at Deininger and Posey's Place. Egress from their community is difficult, and he proposed suggestions, which may be addressed by the Township and/or the state. He commented on the lack of clear sight distance at Posey's Place exiting onto Mt. Zion Road, as well as the danger at Deininger Road. The citizens are concerned that the problem will worsen when Central High School opens. They suggested that the Township consider several avenues such as:

- Look at the intersection at Posey's to improve a clear sight distance.
- Look at a light at Deininger. Funds paid by developer in 1992 were earmarked for a light at Deininger, which was not erected.
- Traffic flow through Woodlands and Spangler's Circle. Suggested 3-way stop and speed bumps.

Mr. White provided an Agenda which he left with the Board.

**SCHENCK** Chairman Schenck thanked Mr. White for his information. He asked Mr. Holman or Mr. Luciani to provide some up-to-date information about the concern, which the Township recognized as an area needing improvement.

**HOLMAN** Mr. Holman indicated that Mr. Luciani had a current status report to provide to the Board.

**LUCIANI** Mr. Luciani reminded the Board that York County Parks came to Springettsbury's Board several years ago to obtain an approval without a plan for some pavilions at the park. They needed to get the approval quickly in order to receive some federal/state grant money that would expire if it were not used. The Board's direction was that they could build the pavilions provided they would review the intersection of Deininger and Mt. Zion Road and that they would not occupy those pavilions until that time. Informational data had been reviewed, but nothing further was done.

Mr. Luciani indicated that Mr. White was correct in his report that there is a lack of sight distance. At Deininger Road the sight distance is about 130 to 140 feet. On a 40 mile per hour roadway, a distance of 300 feet to 400 feet would be needed. It is grossly inadequate.

Mr. Luciani reported that when the Central High School plan was reviewed, and several intersections were studied. They looked at signalizing offset intersections, one of which was Deininger Road, but was dispelled because of the approach slopes. The determination related to

that road on a snowy day, a vehicle coming to a stop on that hill attempting to get started would be difficult. Putting a light at that location was dismissed.

Mr. Luciani commented on the short-term and long-term improvements:  
Short-Term Improvements:

- Additional signage - There's currently a flashing sign there off to the side of the road, not very well maintained.
- Upgrading and enlarging that sign to current roadway standards, putting signs at the intersection that would reveal look left right left before pulling out, and all those were discussed with PennDot. There is a funding mechanism that needs to be processed, which is being handled by York County Parks. They are proceeding with the short-term recommendations.
- Pavement markings - Place some pavement markings which would show speed and hidden driveway on the road.

Long Term Improvements:

York County Municipal Planning Organization provided funding for an improvement at that intersection. Mr. Luciani spoke with Rich Roman, the project manager, who is the project manager for the two-part intersection at Central High School. A consultant is on board. They have topography. The consultant is evaluating different alternatives there. He did report that the goal there is to increase sight distance with a wider shoulder. Engineering should be complete by 2005. An additional shorter-term portion of that project is in the hands of the County; long term is in the hands of PennDot. Traffic data was evaluated which revealed 16 reportable accidents at that intersection, four of which involved drunk drivers. That was over a four or five-year period. A review of unreportable accidents maintained by the Police Department revealed no real trends as far as rear-ends accidents. The hope is that the PennDot project will address that concern of people turning right into the park and stopping, as well as better sight distance.

Posey's Place

Sight distance at Posey's Place also is inadequate. To solve that problem would require the removal of a wall on private property and that may be difficult but may be one solution to increase sight distance. It is an historic wall associated with an older home. The property owner would have to provide permission concerning the wall.

**LUCIANI** Mr. Luciani commented that the most desirable sight distance would be about 300 feet. He did not know how that could be possible without lowering the entire intersection.

**GURRERI** Mr. Gurreri stated that he believed that was scheduled to be completed on the TIP for 2006.

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- LUCIANI** Mr. Luciani responded that the design had already been started, and funds are being drawn from it. He indicated it was to be completed in 2005.
- SCHENCK** Chairman Schenck clarified that the time line is 2006 for actual construction and design 2005. He asked about jurisdiction as far as Posey's Place. Mt. Zion is a state road, but Posey's Place is a Township road. He asked which entity would take the lead.
- LUCIANI** Mr. Luciani indicated that if that plan came before the Board today, the Township would pick it up, and then as part of the PennDot HOP they would indicate the lack of sight distance and would not allow traffic to come out at that location.
- SCHENCK** Chairman Schenck asked about a situation where there's an existing sight triangle problem and a failing sight triangle, and what the solution would be.
- LUCIANI** Mr. Luciani stated that the Maintenance Department would go out and remove trees. In the case where it's a local road with no clear sight distance, the Township would probably take the responsibility because it is basically a Township road. Bottom line would require a permit from the state to work in the right-of-way plus the homeowner's approval to remove the wall.
- GURRERI** Mr. Gurreri recalled a visit to that location with Mr. Luciani where they had discussed just removing the top of the wall, but nothing ever happened about it.
- LUCIANI** Mr. Luciani recalled that visit and added that the right-of-way is just beyond the limits of the paving area. It is an old 33-foot right-of-way there, 16 feet from center.
- SCHENCK** Chairman Schenck commented that Mr. White's information would help to build the case. The Township could look at traffic calming using speed humps, etc. The entire road warrants lights at every intersection, but that alone would not be cause to put in a light. Everything must be considered including the topography and the danger of starting and stopping cars.
- WHITE** Mr. White asked whether there would be a way to limit the truck traffic on Mt. Zion Road.
- SCHENCK** Chairman Schenck responded that the Township would strongly favor doing so and had asked the question many times of the Solicitor to try to figure out a way to limit truck traffic. It has become a major truck traffic cut through; a perceived short cut to Route 83.

**GURRERI** Mr. Gurreri suggested the information be provided to the York County MPO Tech Meeting. Perhaps Mr. Luciani could attend that meeting and present it to get it moving.

**Mt. Zion Road – Surveyors, Garbage Trucks, Truck Traffic**

**SURTASKY** Mr. Tony Surtasky, 2245 Mt. Zion Road, stated that he had lived at that location over 50 years. He was well aware of the traffic situation. He commented on the short-term improvements. The signs had been erected and the pavement markings on the road. The 35-mile an hour speed limit signs had been erected. He had received a letter, along with his neighbors, indicating that the state would be doing some surveying, and the property owners would be notified as to when they would be doing this work. Next morning at 8 a.m. the surveyors from Pittsburgh were there and worked for the next six weeks. They were surveying north about 1500 feet and south to Alcott Road. The last part was a review of the roadways. His understanding was that the surveyors work only on intersections. Mr. Surtasky reported that a garbage truck had been observed going south at 6:45 a.m. Traffic behind the garbage truck included 42 automobiles. The truck traffic had not improved and continues to be a problem. His suggestion of limiting truck traffic during certain hours would really improve the situation. He commented on the addition traffic volume when the school opens. Mr. Surtasky reported that over the Christmas holiday he had been on Eastern Boulevard and followed two tractor-trailers, which traveled out to Mt. Zion Road. He was shocked to see them on Eastern Boulevard. Mr. Surtasky asked about the status of the discussion several months ago concerning the intersection of Whiteford Road/Memory Lane Extended.

**Snowberger Property**

Mr. Surtasky asked about the purchase of the Snowberger property and the Township's intention for the property.

**SCHENCK** Chairman Schenck responded that the Township purchased the property because the Board thought it was in the best interests of the community that the Township owns that property in the event it would be needed for park expansion. As far as the use they had discussed several ideas, some short-term, some long-term. Short-term use could include use by the park. The new manager had lived in the home when his family first came to York.

**Fire Company Merger**

**SURTASKY** Mr. Surtasky asked about the status of the fire company merger discussions with Spring Garden.

**SCHENCK** Chairman Schenck responded that a meeting will be held January 22<sup>nd</sup> to see what needs to be done to get things moving. The state offered to do a

feasibility study for that, but so far nothing has been done. They offered to do the study at no charge; now there may be a cost involved. More information will be available following the January 22<sup>nd</sup> meeting.

**Fire Chief/Firefighter**

**SURTASKY** Mr. Surtasky asked about the status of the position of Full Time Fire Chief and Full Time Firefighter.

**HOLMAN** Mr. Holman responded that he was working on a plan for presentation to the Board on the organization of the Fire Department and Fire Chief. A notice had been sent out for hiring a Firefighter, which should take place shortly.

**Traffic Mirror**

**MUELLER** Ms. Erica Mueller, 2292 Spangler's Circle, asked for consideration of the installation of a traffic mirror at Posey's Place exiting onto Mt. Zion Road.

**HOLMAN** Mr. Holman stated he would go out with the engineer to review the area.

**Traffic – York Suburban Middle School**

**PICKLER** Mr. Matt Pickler, 2485 Crystal Lane, introduced Denise Norton, his neighbor, who resides at 488 Sundale Drive. He indicated they came to the Township meeting to discuss the traffic that goes by the York Suburban Middle School, which seemed faster and faster every day. There is only one stop sign on the entire length of Sundale, which is at Schoolhouse Lane. There are no flashing lights at the school; only a sign that indicates the times to drive slowly. Mr. Pickler stated he did not believe any motorist drives 25 miles an hour down that road. It's a downgrade from Cambridge past the school. There is a lot of cut-through traffic from Prospect, down Cambridge, turning onto Sundale and cutting onto Hunting Park Road to get out onto Eastern Boulevard or cutting straight through where the new steak house is and getting onto Market. Traffic is getting worse, and there are a lot of young children in the neighborhood. On the side where they live there are no sidewalks. The children are walking on his yard, and people are racing down the road. Speed bumps or something is needed on that road to slow traffic.

**NORTON** Denise Norton, 488 Sundale Drive, added that it is a straight shot from Schoolhouse the whole way to Eastern Boulevard. Traffic is going so fast. This summer a car came through her yard. If her son and his friends would've been in the driveway playing they would've been killed. She had filed a police report. Traffic is getting faster and faster coming down that street, and there's nothing to slow them down. Four young couples had recently moved on her street with children under the age of eight with a lot of little kids playing in their yards and driveways. The middle school

is there, along with Kingston Park and there is not a single stop sign all the way down that road.

**PICKLER** Mr. Pickler reported that during the summer the speedboard sign had been placed there. No one was going 25 miles an hour. He had complained about it six months ago. One of the policemen had responded to him that there had not been many accidents. He felt the conditions begged for an accident. A child's life could be taken. If it would save a life, it would be worth it.

**Methadone Clinic**

**REED** Mrs. Lauren Reed, 4263 English Way, stated her concern with the proposed methadone clinic for Stonewood Road and East Market Street, which would be in her neighborhood. She indicated she did not believe the community understood that this is not necessarily a medical clinic although it is, but it is basically going to do nothing less than increase crime and drug trafficking in their neighborhood. She wanted to bring it to the Board's attention and learn their thoughts on it and potentially educate the community about how serious an issue it is. Her husband is in law enforcement and knows first-hand exactly what the clinics do. Unfortunately, heroin is a never-ending cycle. For those few who do get treatment, it is important for the Township to evaluate the benefit to the community versus the risk to the community. If the unfortunate would happen, her next question to the Board and the Springettsbury Police Department would be what their plan would be to protect her neighborhood.

**SCHENCK** Chairman Schenck responded that her comments and questions were valid ones. He reported that no application had been filed with the Township, and what they know is about as much as written in the newspaper. The individuals involved had come in and reviewed the ordinances to determine what would be allowed. The only other thing is those clinics are state-regulated which supersede the Township.

**HOLMAN** Mr. Holman echoed Chairman Schenck's comment, and indicated that he really couldn't comment on it until an application would be filed.

**REED** Mrs. Reed responded that she understood, but while those clinics are state regulated, unfortunately, the drug dealers are not. The average person doesn't have experience with this, thinks it's a medical clinic, but at the same time it is a serious threat to the community. She stated she would not have chosen her neighborhood or any township that has children and families in it, had a clinic been previously established. She stated she would be educating the community between now and if and when an application should be filed.

**SCHENCK** Chairman Schenck stated for clarification that the property is zoned commercial highway. Because of that, if they were to apply, that would go through the Land Development process. It's not a building permit process, so there would be the opportunity to come to public meetings and see the status of the plan and comment.

**REED** Mrs. Reed understood the commercial zoning, but added that it would be very, very close to schools and day cares. It would be a short walk from there to her neighborhood, and she obviously had a vested interest in the situation.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer – Buchart Horn, Inc.**

**Eden Road Interceptor**

**SCHOBBER** Mr. Schober reported that he and Mr. Sowers had been meeting with one of the developers of the properties in the area of the Eden Road Interceptor project. He believed that a good solution had been reached for running the interceptor through their property. Ultimately it will reduce the amount of pipe that the Township has to build and put most of the rights-of-way in the roads. It will be of benefit to the Township. He will continue to move forward and anticipated it would be bid in the spring and constructed in the summer, completed during 2004.

**Bar Screen and Septage Receiving Project**

Mr. Schober reported that the Notice to Proceed had been issued to the contractor earlier this week.

**Tapping Fees**

Mr. Schober reported that Buchart-Horn had been updating the tapping fees for the Township on an annual basis. He stated that the Governor had signed into law at the end of the year some new tapping fee legislation, which will require the Township to recalculate the tapping fees; however, the same tapping fees that are now in place can be kept for 18 months. If they are recalculated, the new law signed into place is a little more conservative in how it's calculated, and it could very well reduce the tapping fee charged. It is something for discussion.

**B. Civil Engineer – First Capital Engineering**

**LUCIANI** Mr. Luciani had provided a written report. He indicated the bulk of his report related to plan reviews, and he had nothing further to report.

**GURRERI** Mr. Gurreri asked about the status of Sheridan Road and whether any plans had been received.

**LUCIANI** Mr. Luciani responded that Mr. Holman had asked him to review an invoice from Met Ed to relocate a pole. The utilities had been contacted. He was waiting for Gannett Fleming, the firm which is drawing the improvements in order to acquire the right-of-way. Plans had not yet been received. He will check it before the next meeting.

**HOLMAN** Mr. Holman commented that the pole relocation had been approved.

**5. ACCOUNTS PAYABLE:**

- A. Regular Payables as Detailed in the Payable Listing of January 8, 2004**
- B. Allstate Power Vac – Mill Street Rehabilitation Contract – Payment No. 2 - \$42,660**

**MR. BISHOP MOVED FOR THE APPROVAL OF ACCOUNTS PAYABLE AS LISTED ITEMS A AND B ON THE AGENDA. MR. BOWMAN WAS SECONDED. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented on the payables listing, which he determined was printed in three different ways. He asked for a consensus of the Board as to how they would like to review it and thin the packet down. He found the last portion, alphabetical with explanations, to be most useful.

**Consensus of the Board was to proceed with the last portion concept, alphabetical with explanations and eliminate the rest.**

**HOLMAN** Mr. Holman stated he would be happy to reduce the paperwork.

**6. BIDS, PROPOSALS AND CONTRACTS:**

**HOLMAN** Mr. Holman stated he had an item for Public Works Department to add to the Agenda. He indicated Mr. Lauer had a bid ready to advertise.

**LAUER** Mr. Lauer reported that the mowing services bid was ready to go for mowing the park. He requested permission to advertise.

**MR. GURRERI MOVED TO AUTHORIZE THE STAFF TO ADVERTISE FOR BIDS FOR MOWING SERVICES IN THE TOWNSHIP PARK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that he had a second item, which could be addressed at this time or under the Manager's Report. He indicated he had reached a point with working on the Tree Farm and single-road intersection where he needed direction from the Board in order to move forward with

engineering on the project that is to start the design and complete it. He had asked Tom Smith of Buchart-Horn to make a presentation to bring the Board up to speed and to explain the single-intersection. The overall engineering work on this project is approximately \$92,000. The funding received from the school could be used for the project, which is approximately \$80,000 towards the engineering. Mr. Holman stated that this was one of the assignments given when he came on board with the Township. He was ready to move forward with the engineering, but he wanted to confirm that this was the direction the Board wanted to proceed.

**Consensus of the Board was to proceed with the presentation during this time on the Agenda.**

**SMITH** Tom Smith of Buchart-Horn made a short presentation showing two slides of the conceptual plan for the single intersection, Sherman Street and Mundis Mill and Sherman Street and Mt. Zion Road. He pointed out the locations of the new high school, the roadways, intersections, treatment plant, as well as showing the proposed closing off of the existing Sherman Street leg. Ninety-eight percent (98%) of the traffic would go through one intersection with less vertical constraints and be even safer than what would be presented with the Central project.

**SCHENCK** Chairman Schenck clarified that the design for the two intersections was proceeding on its own through the School District. This presentation only concerned 4A, the single intersection.

Further discussion covered the following:

- Single intersection would be a totally stand-alone project with different funding sources, different permitting requirements.
- Bridge over the small creek would be eliminated.
- Roadway would be located predominantly 99% on the Tree Farm owned by Springettsbury Township.
- Traffic patterns using Glades Road to Mt. Zion and Druck Valley invite new risks.
- New intersection will be safer for motorists coming out of Sherman due to more adequate sight distances.
- Added travel distance going in and out of E. Manchester Township to Mt. Zion would be
- approximately a half mile, with much more safety.

**HOLMAN** Mr. Holman asked for the Board's consensus regarding the project. Providing the Board's favor, he would schedule a meeting with the school.

**BISHOP** Mr. Bishop stated that he thought to proceed would be a mistake. He indicated that the single-intersection concept surfaced because the Board thought there might be a better way to design the road but agreed that the

way it was designed and is being built now was 100% increase in safety. This next step had some benefits in terms of the traffic coming down the hill and not having to stop at the bottom of the hill, but those benefits seem marginal especially when looking at the costs the Township will incur to get this. Mr. Bishop thought it was reasonable; however, he had been made aware of some new concerns during the discussion, which led him to wonder about unintended consequences. From a financial standpoint, he could name several other locations in the Township, such as Mt. Zion Road, Druck Valley, Deininger, Market Street, Memory Lane, and Edgewood Road where the money would be a better investment. He believed that what Central is doing will make the roadway much more safe than it is.

**GURRERI** Mr. Gurreri thought the single intersection was a wise idea, and it had been highly recommended during the meetings he had attended, especially with the Municipal Planning Organization.

**BISHOP** Mr. Bishop commented that the MPO is not willing to fund it.

**SCHENCK** Chairman Schenck asked Mr. Holman about the funding in round numbers.

**HOLMAN** Mr. Holman responded that the engineering funding can begin. He would meet with the school officials. He just needed to know whether or not to proceed. As far the funding for the road, his recommendation on that was to use some of the Real Estate Transfer Tax, about 1/3 of that over the next 10 years, to pay for the road. It's not a source of revenue currently used, but it could be used to pay for this. He would explore getting some grant money, which would have to be done while the process was ongoing because of the time frame involved. The school is due to open in 2005, and the time frame is tight.

**SCHENCK** Chairman Schenck clarified that the agreement with the School District for the \$80,000 was for the engineering.

**HOLMAN** Mr. Holman responded that the agreement with the School is that the District is to make lump sum contribution to the Township of \$80,000 to be applied at the discretion of the Township for the installation and improvements for pedestrian movements and safety on Mundis Mill Road, Sheridan Road improvements and/or engineering and construction costs associated with the ultimate single-intersection design. The contributions set forth shall be made by the District. The funding is in place. He added that another \$125,000 is available for future traffic safety and capacity improvements to Sheridan Road. That money does have some obligations to it seeing where the school is on obtaining their permit for the road, if

there are additional costs to see if those funds would be available. The \$80,000 is available to start moving forward with this project.

**BISHOP** Mr. Bishop mentioned previous significant discussions about pedestrian traffic in the area just to the south of Mundis Mill Road. One of the reasons for that \$80,000 contribution was that the School District had absolutely no responsibility nor interest in providing anything with respect to pedestrian traffic in that neighborhood. It was their position that there will be no pedestrian traffic anywhere that no one will walk to that school. No one will park on the other side of the street and walk across. This Board felt that was unrealistic. The funds were committed so that the Township would have the option of reviewing those possibilities and improving sidewalks, markings, or whatever was needed once there was a clearer understanding of the ways that cut-through traffic was going to affect what was going on in that neighborhood. While one of the options of that money was and/or do this other intersection, there are other responsibilities that the Township will have, and the \$80,000 is supposed to be used for that as well.

**HOLMAN** Mr. Holman commented that before he would begin investing funds he would anticipate to work through the process of investing funds through the engineer as they do the work. If the Board does not want to continue that course, the contract would end at that point.

**GURRERI** Mr. Gurreri commented that there was \$80,000 available to do engineering work. A year ago the Board was committed to doing the single intersection, but the funding was not available; now it appeared that funding might be available through the Real Estate Tax.

**BISHOP** Mr. Bishop responded that the Real Estate Tax is Springettsbury money, which was not earmarked for this. If that money is used for the single intersection, then nothing could be done about Mt. Zion Road or Market Street, etc.

**GURRERI** Mr. Gurreri indicated it would not be enough to do Mt. Zion Road, which is a state road.

**BISHOP** Mr. Bishop indicated it would not be enough money to do the single intersection either. It will take a million dollars to do this.

**GURRERI** Mr. Gurreri recalled Mr. Holman's comment that it would be done over a 5-year period.

**HOLMAN** Mr. Holman stated that it would be paid back over a 10-year period with the low interest rates at this time with a bond.

**DVORYAK** Mr. Dvoryak stated that what was missing and making a decision difficult was that apparently there is no strategic priority plan in place in terms of identifying what are the key priority road improvements within the Township.

**SCHENCK** Chairman Schenck stated he was absolutely correct. It had been a continuous problem. We always have many more traffic projects to do than could be done. Setting those priorities is very tough, and sometimes the Board may react to opportunities because developers have made funds available. He had viewed this project as an opportunity, which may not have been the highest priority coming forward, but again there was a chance that the School could kick in some money. This project couldn't occur without the School's million dollars. The MPO is still kicking in their funding, and overall it's probably a two and a half million dollar project. The Township will end up benefiting all of the work being done.

**GURRERI** Mr. Gurreri commented that Mt. Zion Road is on the TIP to be redone for 2015.

**LUCIANI** Mr. Luciani indicated he thought the segment of money on the TIP was the amount of money that Central High School is spending on the 2-intersection project.

**GURRERI** Mr. Gurreri commented that the MPO had discussed doing Mt. Zion Road over and it was on the TIP.

**SCHENCK** Mr. Schenck stated that the School District was counting on that for construction of the 2-intersection design.

**GURRERI** Mr. Gurreri asked Mr. Smith whether he knew if Mt. Zion Road was on the TIP.

**SMITH** Mr. Smith responded he did not think so, just Mt. Zion and Sherman intersection.

**SCHENCK** Chairman Schenck stated there were lots of options. The decision could be delayed, vote yes or not, or review it at the next meeting.

**BISHOP** Mr. Bishop stated Springettsbury should not do anything because Central is already fixing the intersections by spending two million dollars. Everyone agrees that PennDot's plan will be safe.

**GURRERI** Mr. Gurreri stated he was in favor of doing it.

**DVORYAK** Mr. Dvoryak indicated he would like to gather more information. What he had heard so far sounded good, but he felt Mr. Bishop's points were well taken. His opinion was to table it to the next meeting.

**BOWMAN** Mr. Bowman indicated he would like to table the matter until next meeting.

**SCHENCK** Chairman Schenck stated he had no problem with allowing the time to gather whatever additional information might be helpful. This project is not on a real tight window.

**BISHOP** Mr. Bishop added that one of the problems is that the drawing is particularly unhelpful. It's a tough intersection to understand. The Board had been through it for months, but he thought it would be better to think it through.

**HOLMAN** Mr. Holman asked the Board members to let him know what additional information might be needed, and he would develop it for the next meeting.

**Consensus of the Board was to table the project to allow more time to gather additional information.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-03-14 – Hunters Crossing – Action**

**BAUGH** Mr. Baugh provided background information concerning SD-03-14 as documented in his December 31, 2003 memorandum. The purpose of the plan is to create 106 lots with 100 buildable lots in single-family, semi-detached and attached dwelling units with an average density of 1.45 dwellings per acre. The property is located near the intersection of Kingston Road and Cheltenham Drive, zoned R-2. The Board of Supervisors previously had approved the preliminary plan at the October 9, 2003 meeting with several waivers and conditions. The Planning Commission recommended approval of the final plan during their December 18, 2003 meeting with several waivers and conditions, most of which had been addressed by the applicant. Staff recommended approval also with several waivers and conditions.

**SCHENCK** Chairman Schenck asked for the Board's comments. Hearing none he asked for the developer's comments.

**STALLMAN** Jerry Stallman noted that they had done some housecleaning with signatures. They had added a note (#22) regarding recreation lot 104 and had provided required information on the closures and text cleanup. He

commented on the pump station note. He had discussed this with DEP. Because this previously had been designed to serve the entire drainage basin, they are not enlarging the permit. DEP indicated that a permit would not be necessary; rather a letter from the Township that the pump station was sized large enough to serve this development, that it is permanent and that it is in the Chapter 94 report, which had been confirmed by Ed Sowers.

**SCHENCK** Chairman Schenck commented that his statements were contrary to what the Board had been given.

**LUCIANI** Mr. Luciani stated that was the first time he had heard that a pump station permit would not be needed. He was not aware of it. He did not believe that the pump station permit was a condition of the plan.

**STALLMAN** Mr. Stallman clarified that he wanted to provide the status of the pump station situation.

**SCHENCK** Mr. Schenck asked about the seal and the owner's signatures.

**STALLMAN** Mr. Stallman indicated that the computer would not print signatures.

**SCHENCK** Chairman Schenck asked about moving the text and whether that had been done.

**PASCH** Tim Pasch stated that Windsor Township Planning Commission had recommended approval. The date for their Board meeting is January 19, 2004. All their issues had been met. They will meet with DEP on Monday, January 12, 2004.

**BAUGH** Mr. Baugh commented on adding a note to the plan stating that the recreation facilities note is on the plan and that the applicant had agreed to bond installation of the recreational facilities.

**SCHENCK** Chairman Schenck stated that the realigning of the text issue still needed to be fixed.

**PASCH** Mr. Pasch stated that there were a few spots that couldn't be read.

**BISHOP** Mr. Bishop stated he was unclear on the permit for the pump station. He asked whether their position was that it's not required by DEP.

**STALLMAN** Mr. Stallman stated that originally the permit package and documents were assembled, signed by the Township, submitted to DEP with documentation in Ed Sowers' file. Following that he had a discussion with DEP concerning the reason for permitting the pump station because

originally it was designed to serve that entire drainage area. It is a big pumping station, five times what it needed to be. DEP agreed. He had been contacted again recently, and it was determined all DEP wanted was a letter from Ed Sowers indicating that the pump station can serve this development.

**BISHOP** Mr. Bishop commented that he was concerned about the Board making this a condition if it becomes impossible to get a permit, or if no permit is needed.

**RAUSCH** Solicitor Rausch stated that, if it was determined that the applicant would not need a permit because it has already been permitted, it would be okay and that would satisfy that condition.

**SCHENCK** Chairman Schenck called for public comment.

**SCHAEFER** Tom Schaefer, 138 North Keesey Street, spoke on behalf of Friends of Camp Security. They continue to understanding the difficulties in this matter. Friends of Camp Security would like to continue to protest the development of this land for reasons previously discussed. They desired to go on record to allow themselves to be able to protest any action on a continuing basis, whatever the future brings.

**DVORYAK** Mr. Dvoryak asked Solicitor Rausch about wording in the suggested motion. He questioned whether it would make sense to add wording to ensure that should Windsor Township put any conditions in place in approving that plan that would be unfavorable to Springettsbury Township that Springettsbury would have the right to revisit this. His concern was that Windsor Township would approve the plan subject to certain conditions that Springettsbury Township would find unacceptable. In other words, we're approving the plan in its present state, as long as the conditions are met.

**RAUSCH** Solicitor Rausch stated that the court had ordered that the plan be approved with the conditions as presented at the October 2001 Hearing. That was one of the conditions, "Approval by Windsor Township." Springettsbury Township is under an obligation at this point to follow the court's order. As a practical matter, he was not sure if Windsor Township granted approval with conditions, the applicant would have to comply with all of those conditions or no approval would be given by Windsor Township. He added that at this point the Board was under a court order to approve the plan with the conditions as presented. He recommended following the court order.

**SCHENCK** Chairman Schenck stated that would raise another question in that those conditions aren't exactly what is shown. There are some things in the preliminary plan not showing on the current list.

**RAUSCH** Solicitor Rausch stated that when preliminary approval was granted all those conditions were included. Anything not shown as a condition had been resolved.

**SCHENCK** Chairman Schenck stated that he just wanted to be sure to dot the i's and cross the t's because of the situation.

**PASCH** Mr. Pasch commented that Windsor's approval only has to do with Windsor's piece, so Windsor can't affect Springettsbury's piece at all. They can't make conditions that would affect Springettsbury; only what affects their county.

**MR. BISHOP MOVED TO APPROVE SUBDIVISION 03-14 – HUNTERS  
CROSSING FINAL SUBDIVISION PLAN WITH THE FOLLOWING  
CONDITIONS:**

- **CONDITIONED UPON APPROVAL OF THE PLAN BY WINDSOR TOWNSHIP;**
- **CONDITIONED ON RECEIPT OF GENERAL PERMITS 4, 5 AND 7 FROM DEP;**
- **CONDITIONED ON RECEIPT OF PART 2 PUMP STATION PERMIT;**
- **PROVIDING CLOSURE CERTIFICATES FOR ALL LOTS AND ADJUSTING THE LOT LINES OF LOTS 63, 64, 65 AND 66 TO MATCH THE OVERALL SUBDIVISION PROPERTY LINE;**
- **REALIGNING THE OVERLAPPING PLAN TEXT AT THE NORTHERN END OF BURGOYNE COURT AND THE KINGSTON ROAD ENTRANCE TO MAKE IT READABLE.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-03-09 – Hoss's Steak and Seafood – Action**

**BAUGH** Mr. Baugh provided background information regarding the plan, which he had documented in his December 31, 2003 memo. He stated that the site was that of the existing Hoss's Steak and Sea House. The site will remain but the existing parking and stormwater management facilities are to be reconstructed to add additional parking and provide more adequate stormwater runoff. The Planning Commission recommended approval at their December 18<sup>th</sup> meeting with several modifications and conditions. Staff concurred with the Planning Commission.

**SCHENCK** Chairman Schenck commented that he had a difficult time following the plan. He asked whether there would be any way that a non-engineer could simplify the plans. He added that he had no problem with the plan itself.

**LUCIANI** Mr. Luciani responded that PennDot used a certain text for existing conditions and other text for proposed conditions. His firm used a shading technique.

**GEORGE** Josh George, representative of the plan, stated that the plan provided to the Board has the owner's notarized signature on it, as well as the engineer's certification.

**MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT 03-09, HOSS' STEAK AND SEA HOUSE REVISED FINAL LAND DEVELOPMENT PLAN WITH THE FOLLOWING CONDITIONS;**

- **BONDING FOR PROPERTY LINE MONUMENTATION SETTING FOUR PROPERTY COERNS AS SHOWN ON THE PLAN SHALL BE PROVIDED;**
- **A NOTARIZED STATEMENT OF THE OWNER DEDICATING STREETS, RIGHTS-OF-WAY, AND ANY SITES FOR PUBLIC USE WHICH ARE TO BE DEDICATED SHALL BE INCLUDED ON THE PLAN PRIOR TO THE FINAL APPROVAL;**
- **A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT SHALL BE PROVIDED WHEN OBTAINED.**

**MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-03-15 – Cronheim and Sampson (Unique Physique)**

**BAUGH** Mr. Baugh provided background information, which he had provided to the Board in his December 31, 2003 memo. He stated that the site was located at 2680 Industrial Highway. The purpose of the plan is to subdivide the original lot into two lots. The Planning Commission recommended approval of the final plan at the December 18, 2003 meeting with several waivers and conditions. Mr. Baugh reported that several of those waivers and conditions had been addressed by the applicant, and staff recommended approval with one waiver and conditions.

**LUCIANI** Mr. Luciani reported that the applicant had provided additional right-of-way along Memory Lane.

**MR. BOWMAN MOVED TO APPROVE SUBDIVISION 03-15 – CHRONHEIM AND SAMPSON (UNIQUE PHYSIQUE) WITH THE FOLLOWING WAIVER AND CONDITIONS:**

- **WAIVER OF PRELIMINARY PLAN;**
- **A NOTARIZED OWNER'S SIGNATURE MUST BE AFFIXED TO THE PLAN PRIOR TO APPROVAL;**
- **NOTE #7 SHALL BE REVISED TO INCLUDE LOT 1 CORNER MARKERS.**
- **A MORE DETAILED STUDY OF THE STREAM WILL BE REQUIRED FOR LAND DEVELOPMENT.**

**MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Informational – Receipt of Manchester Township/North York Borough  
Proposed Comprehensive Plan**

**BAUGH** Mr. Baugh reported that a copy of the proposed Manchester Township/North York Borough Joint Comprehensive Plan, which will be submitted to the Planning Commission so that they can supply comments on the plan.

**SCHENCK** Mr. Schenck asked whether any action was required by the Board.

**BAUGH** Mr. Baugh responded that no action was necessary.

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop reported that a letter had been received from the United Way thanking the Township employees for raising \$2,538.00 during this year's campaign.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that he had nothing further to add to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that, in addition to his report to the Board, he stated that a request had been received for a special event application from the York Roadrunners Association for a 15 kilometer race to be held Saturday, February 28, 2004 at 9 a.m. He indicated this race is held annually in the Township. Mr. Holman stated he would be signing off on the report and forwarding all information to the Chief and other departments in a timely fashion.

Mr. Holman requested permission from the Board to advertise for a public hearing for a liquor license transfer hearing to be held on February 12<sup>th</sup> at 6:30 p.m., a regular meeting night. Applicant is K Brothers, Inc., trading as Acworth Seafood; location to be transferred to would be 2254-2256 Industrial Highway.

**Consensus of the Board was to hold the public hearing as requested.**

**HOLMAN** Mr. Holman reported that the Board of Auditors met and recommended the establishment of the bond for the Treasurer and the Assistant

Secretary/Treasurer in the amount of \$2 million. A Resolution, 04-26, was offered for consideration at the proper Agenda time.

**11. ORDINANCES, RESOLUTIONS AND AGREEMENTS:**

- A. Resolution No. 04-24 – Eden Road Interceptor License Agreement – Norfolk Southern**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION 04-24 – EDEN ROAD INTERCEPTOR LICENSE AGREEMENT – NORFOLK SOUTHERN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Resolution No. 04-25 – Additional Street Lights – Grant Drive (Sheridan Manor)**

**MR. BISHOP MOVED FOR THE APPROVAL OF RESOLUTION 04-25 FOR ADDITIONAL STREET LIGHTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 04-26 – The Establishment of a Treasurer and Assistant Secretary Treasurer Bond.**

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 04-26. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**ACTION ON MINUTES:**

- A. Board of Supervisors Work Session – December 2, 2003**

**MR. BISHOP MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS WORK SESSION DECEMBER 2, 2003 AS DRAFTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Board of Supervisors Public Hearing – December 11, 2003**

**MR. DVORYAK MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING DECEMBER 11, 2003 AS DRAFTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Board of Supervisors Regular Meeting – December 11, 2003**

**MR. BISHOP MOVED FOR APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING DECEMBER 11, 2003 AS DRAFTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**BISHOP** Mr. Bishop stated that the report that the Board of Supervisors received on Fire Company overtime appeared to be an unnecessary exercise. There is a significant problem there, which is known to the Board members. A lot of time and effort is put into preparation of the report. He suggested stopping the report at this time.

**SCHENCK** Chairman Schenck agreed. The report had been generated in order to gain an understanding of an out-of-control situation. He felt the Board had a much more clear understanding, a handle on the cause/why. The numbers would still be provided to the Board within the Budget.

**HOLMAN** Mr. Holman added that he was tracking the numbers as well. Any time the Board would want those numbers, they could be easily provided.

**GURRERI** Mr. Gurreri noted that the numbers were not always pleasant to see.

**Consensus of the Board was that the report could be curtailed.**

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of November 30, 2003 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE NOVEMBER 30, 2003 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of Audit Report for the period January 1, 2001 to December 31, 2002 – Springettsbury Township Volunteer Firefighters' Relief Association**

**MR. BOWMAN MOVED TO ACKNOWLEDGE RECEIPT OF THE AUDIT REPORT FOR 1/1/01 TO 12/31/02, SPRINGETTSBURY TOWNSHIP VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated his surprise when he read the Audit Report.

**HOLMAN** Mr. Holman responded that a meeting will be held with the Auditors to see what action should be taken in order to resolve the items listed needing correction.

**SCHENCK** Chairman Schenck stated that the item should be placed on the Agenda for the next meeting with Bob Astor, who serves as an officer in the organization.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 8, 2004  
APPROVED**

**BISHOP** Mr. Bishop commented that there may be some opportunities to make suggestions.

**14. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 5, 2004  
APPROVED**

The Board of Supervisors of Springettsbury Township held the Annual Reorganization Meeting on Monday, January 4, 2004 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

**ATTENDANCE:** Don Bishop, Acting Chairman  
Bill Schenck  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
John Luciani, First Capital Engineering  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Acting Chairman Don Bishop called the meeting to order at 7 p.m. He welcomed George Dvoryak as a new member of the Board. He also welcomed re-elected member, Nick Gurreri.

**2. ELECTION OF OFFICERS:**

**A. Chair of the Board of Supervisors**

**BISHOP** Acting Chairman Bishop called for nominations for the position of Chairman.

**MR. GURRERI NOMINATED BILL SCHENCK. MR. DVORYAK WAS SECOND.**

**MR. BOWMAN NOMINATED DON BISHOP. MOTION DIED FOR LACK OF A SECOND. THERE WERE NO FURTHER NOMINATIONS.**

**MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Mr. Schenck thanked the Board for the opportunity to serve.

**B. Vice Chair of the Board of Supervisors**

**SCHENCK** Chairman Schenck called for nominations for Vice Chairman.

**MR. GURRERI NOMINATED DON BISHOP. MR. BOWMAN WAS SECOND.**

**MR. SCHENCK NOMINATED NICK GURRERI. MOTION DIED FOR LACK OF A SECOND. THERE WERE NO FURTHER NOMINATIONS.**

**MOTION UNANIMOUSLY CARRIED.**

**C. Assistant Secretary/Treasurer**

**MR. GURRERI NOMINATED MIKE BOWMAN. MR. BISHOP WAS SECOND. THERE WERE NO FURTHER NOMINATIONS.**

**MOTION UNANIMOUSLY CARRIED.**

**3. Appointment of Board Delegates**

**SCHENCK** Chairman Schenck commented that typically the entire Board of Supervisors had been appointed as Delegates, and one member as the Voting Delegate.

**MR. BOWMAN MOVED FOR THE APPOINTMENT OF THE ENTIRE BOARD AS DELEGATES TO THE PSATS CONVENTION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. BOWMAN NOMINATED MR. GURRERI AS THE VOTING DELEGATE TO THE PSATS CONVENTION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**4. Resolutions**

**A. Resolution No. 04-01 – Appointment of Township Solicitor**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-01 APPOINTING BLAKEY, YOST & RAUSCH ESQUIRES AS OUR TOWNSHIP SOLICITOR. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 04-02 – Appointment of Township Civil Engineer**

**MR. GURRERI MOVED FOR THE APPOINTMENT OF TOWNSHIP CIVIL ENGINEER, FIRST CAPITAL ENGINEERING, JOHN LUCIANI, P.E., RESOLUTION NO. 04-02. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution 04-03 – Appointment of Township Environmental Engineer**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-03 APPOINTING BUCHART-HORN AS TOWNSHIP ENVIRONMENTAL**

**ENGINEER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 04-04 – Appointment of Township Manager/Secretary**

**MR. GURRERI MOVED TO APPROVE THE APPOINTMENT OF TOWNSHIP MANAGER/SECRETARY, JOHN J. HOLMAN, RESOLUTION NO. 04-04. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 04-05 – Appointment of Township Treasurer**

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 04-05 APPOINTING JACK HADGE AS TOWNSHIP TREASURER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 04-06 – Appointment of Vacancy Board Chair**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-06 APPOINTING JEFFREY D. LOBACH AS CHAIRMAN OF THE SPRINGETTSBURY TOWNSHIP VACANCY BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Resolution No. 04-07 – Appointment of Police Pension Fund Chief Administrative Officer**

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 04-07, APPOINTING JOHN J. HOLMAN POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Resolution No. 04-08 – Appointment of Fireman’s Pension Fund and Non-Uniformed Employee Pension Fund Chief Administrative Officer**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-08 APPOINTING JOHN HOLMAN ADMINISTRATOR OF THE FIREMAN’S AND NON-UNIFORMED EMPLOYEE PENSION FUNDS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Resolution No. 04-09 – Appointment of Auditing Firm**

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 04-09 APPOINTMENT OF SAGER, SWISHER AND COMPANY, LLP AS AUDITING FIRM. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**J. Resolution No. 04-10 – Appointment of Sewage Enforcement Officer**

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 04-10 APPOINTING BRADLEY HENGST, SEWAGE ENFORCEMENT OFFICER, AND DAVID BROWN, ALTERNATE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**K. Resolution No. 04-11 – Appointment of Representative to York County Earned Income Tax Bureau**

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 04-11 APPOINTING REPRESENTATIVE TO YORK COUNTY ERNED INCOME TAX BUREAU, JACK HADGE, RANDY BLESSING, ALTERNATE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**L. Resolution No. 04-12 – Appointment of Representative to Springettsbury Township Volunteer Fire Company**

**SCHENCK** Chairman Schenck commented that he currently served in this capacity and would be willing to continue; however, if someone else desired to serve he would step aside.

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 04-12 APPOINTING BILL SCHENCK AS REPRESENTATIVE TO SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**M. Resolution No. 04-13 – Appointment of Representative to Local Government Advisory Committee**

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 04-13, APPOINTMENT OF GEORGE DVORYAK AS REPRESENTATIVE TO LOCAL GOVERNMENT ADVISORY COMMITTEE. MR. SCHENCK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**N. Resolution No. 04-14 – Appointment to Zoning Hearing Board (5 Year Appointment)**

**MR. GURRERI MOVED TO ADOPT RESOLUTION NO. 04-14 APPOINTMENT TO ZONING HEARING BOARD, FIVE-YEAR APPOINTMENT, JOHN SCHMITT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**O. Resolution No. 04-15 – Appointments to Planning Commission (4 Year Term)**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-15 RE-APPOINTING RANDY MEYERHOFF AND MARK SWOMLEY TO THE**

**PLANNING COMMISSION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**P. Resolution No. 04-16 – Appointments to Park and Recreation Board (4 Year Term)**

**MR. GURRERI MOVED TO ADOPT RESOLUTION 04-16, APPOINTMENTS TO PARK AND RECREATION BOARD, FOUR-YEAR TERM, STEPHEN R. WOLF AND CHARLES G. RUPP. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Q. Resolution No. 04-17 – Appointments to Plumbing Board (3 Year Term)**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 04-17 APPOINTING DANIEL LEHR AND DAVID YATES TO THE PLUMBING BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**R. Resolution No. 04-18 – Appointments to Recycling Committee (No Term Length)**

**MR BOWMAN MOVED TO ADOPT RESOLUTION NO. 04-18 APPOINTMENTS TO THE RECYCLING COMMITTEE: RON DIANGELO, STEPHEN BAKER, MICHAEL SCHMOTZER, CONNIE SCHMOTZER, MIKE MILLER, CECILIA COOK, RICHARD IRVINE, PENNY DELLINGER AND DEB BIXLER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**S. Resolution No. 04-19 – Designation of Depositories and Safety Deposit Box**

**MR. GURRERI MOVED TO ADOPT RESOLUTION 04-19, DESIGNATION OF DEPOSITORIES AND SAFETY DEPOSIT BOX. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**T. Resolution No. 04-20 – Approval of Bank Account Signatories**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 04-20 APPROVAL OF BANK ACCOUNT SIGNATORIES. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop commented that this may be a policy deserving a re-evaluation. It had been acted upon for reasons which no longer apply.

**SCHENCK** Chairman Schenck agreed that the re-evaluation should take place.

**HOLMAN** Mr. Holman responded he would work on the evaluation.

**U. Resolution No. 04-21 – Designation of Zoning Officer and Deputy Zoning Officer(s)**

**MR. GURRERI MOVED TO ADOPT RESOLUTION NO. 04-21, DESIGNATING JAMES BAUGH, ZONING OFFICER AND ANDREW STERN, DEPUTY ZONING OFFICER, ERIKA BELEN, DEPUTY ZONING OFFICER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**V. Resolution No 04-22 – Appointment of Zoning Hearing Board Solicitor**

**SCHENCK** Chairman Schenck commented that the Board of Supervisors had made this appointment in the past; however, the Zoning Hearing Board is the body empowered to make this appointment. He recommended to send this to the Zoning Hearing Board.

**MR. BISHOP MOVED TO TABLE ACTION ON RESOLUTION NO. 04-22. MR. BOWMAN WAS SECOND.**

**SCHENCK** Chairman Schenck asked whether there would be an expectation that the Zoning Hearing Board would respond to the Board of Supervisors.

**BISHOP** Mr. Bishop responded that there would not be a need to do so.

**MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked Mrs. Bowders to see that the Chairman of the Zoning Hearing Board received that information.

**BOWDERS** Mrs. Bowders responded that she would do so.

**HOLMAN** Mr. Holman added that they would place the action on the next Zoning Hearing Board Agenda.

**W. Resolution No. 04-23 – Appointment of Building Official and Deputy Building Official**

**MR. GURRERI MOVED TO ADOPT RESOLUTION NO. 04-23 APPOINTING JAMES BAUGH, BUILDING OFFICIAL, AND ROGER MARSHALL, DEPUTY BUILDING OFFICIAL. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. Other Items**

**A. Set Date for Regular Meeting of Board of Supervisors – November, 2004**

**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 5, 2004  
APPROVED**

**MR. BISHOP MOVED TO SET THE MEETING DATE FOR NOVEMBER 17, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri asked whether the Board would be agreeable with changing the date of the February 12<sup>th</sup> meeting as he will be out of town.

**SCHENCK** Chairman Schenck stated that the entire Board would need to make the decision; however, he wondered whether the staff would be prepared with only one full week in between.

**HOLMAN** Mr. Holman commented that a meeting could be arranged; however, there might not be much business to transact. It would not be the most productive meeting.

**Consensus of the Board was not to change the February 12<sup>th</sup> meeting date.**

**6. Adjournment**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:30 p.m.

Respectfully submitted,

John J. Holman  
Township Manager

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