

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 28, 2015
APPROVED**

The Springettsbury Township Board of Supervisors held a meeting on Thursday, May 28, 2015 at 7 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak
Julie Landis
Kathleen Phan
Bill Schenck

ALSO IN

ATTENDANCE: Kristen Denne, Township Manager
Charles Rausch, Solicitor
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Patricia Lang, Director of Community Development
Mark Hodgkinson, Director of PW/WWT
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
David Wendel, Director of Parks and Recreation
Lt. Tony Bean, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Mark Swomley called the meeting to order and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

Held until conclusion of Citizen Comments.

3. COMMUNICATION FROM CITIZENS

SWOMLEY Chairman Swomley opened the floor for citizen comments.

PIERCE Turk Pierce, 131 Davidson Drive spoke against the possible development of the north side of East Market Street between Mount Zion Road and Eisenhower Drive. Three of the four buildings that may be torn down are already on the Historic Preservation Committee Top 100 Most Significant Buildings in the Township, and the fourth property is a candidate for that list.

KAMMERDIENER Jerry Kammerdiener, 2 Jamison Drive, spoke against the potential development by Spring Lane LLC as it backs up to the apartment where he lives. He noted concern for the green space in the area surrounding the apartment.

ALTLAND Beverly Altland, 96 Jamison Drive, Springetts Apartments noted that the residents of Springetts Manor work hard to create a sense of home and community. She asked the board's consideration as to what commercial activity would have on their community and asked for adequate buffer of green space to shield the neighborhood.

DELEON Barbara Ann deLeon, Seven Valleys resident, commented that her parents owned the Modernnaire Motel in the 1950's. She had spent time during her youth working at the motel and hoped that the historical buildings would not be destroyed.

FREY Robert S. Frey, 4160 Old Orchard Road, spoke against the plan which would destroy his childhood home at 3405 Lincoln Highway. The property is full of generations of family history and is part of the history of Springettsbury Township.

COUSER Marysue Frey Couser, also part of the Weiser-Frey family who had grown up at 3405 East Market Street. She hoped the property would not be destroyed for another shopping center.

KOHLER Cathy Kohler, Vice President of Operations for Manor Management Company, which oversees Springetts Apartments, requested that the board consider an extra buffer zone in addition to that which the township already requires, if the rezoning takes place. She was not opposed to the rezoning.

TAPP Sharon Tapp, 12 Eastern Boulevard, stated that she serves on the Springettsbury Township Historical Preservation Committee. Her connection involved the county and its heritage. She did not think it was necessary to convert residential historic areas and hoped the board would seriously consider the plans.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley called for an Executive Session for Manager Denne to brief the board on negotiations at 7:14 p.m.

EXECUTIVE SESSION BEGAN AT 7:14 P.M. AND RECONVENED AT 7:32 P.M.

SWOMLEY Chairman Swomley called the meeting to order at 7:32 p.m.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill stated he had provided a written monthly report and had no changes. He offered to respond to questions.

PHAN Ms. Phan asked whether he had a response from PennDot.

CRABILL Mr. Crabill responded that they had not responded. However, a Job Meeting had been held this date for the project; dates were given and there were no comments. They have the information needed.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani stated he had provided his written monthly report and had several updates.

- A sewer break took place on Fineview Drive caused by compaction of the soil. The contractor repaired the sewer lines and Mr. Hodgkinson and his Public Works crew will televised the rest of the sewer line to be sure there aren't further breaks. The contractor is effectively done but for paving, and he requested another 20 days to overlay the roadway which is included in the scope.
- The culvert on Graham Street is an old, 24-inch line that drains half of Springettsbury Township. Permits were obtained through DEP for a new culvert, and it will be put out for bid.

5. CONSENT AGENDA

- A. Acknowledge Receipt of April 30, 2015 Treasurer's Report
- B. Board of Supervisors Meeting Minutes – May 14, 2015
- C. Regular Payables as Detailed in the Payable Listing of May 28, 2015
- D. Marona Construction Co. – I-83 Exit 18 Sanitary Sewer Realignment – Application for Payment No. 4 in an amount not to exceed \$1,043,968.95
- E. Authorization to Approve Tax Refund Request for Tax Year 2014 – Vo Phuc Ngoc (Parcel #46-14-42W) in the amount of \$7.71
- F. Authorization to Approve Tax Refund Request for Tax Year 2015 – Vo Phuc Ngoc (Parcel #46-14-42W) in the amount of \$92.57
- G. Authorization to Approve Tax Refund Request for Tax Year 2015 – Souser Family Limited Partnership (Parcel #46-JJ-39) in the amount of \$10.29.
- H. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 6/15/15 (New Plan Date 9/15/15)
- I. LD-14-04 – Time Extension – Pleasant Valley Road Tract – Plan Expires 5/31/15 (New Plan Date 7/31/15)

MR. SCHENCK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH I. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Advertise for Bids for Graham Street Storm water Culvert Project (Sanitary Sewer Fund Project)

MR. SCHENCK MOVED TO APPROVE THE SOLICITATION OF BIDS FOR THE GRAHAM STREET STORMWATER CULVERT PROJECT. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Award Bids for 2015 Road Materials and Resurfacing Project (as outlined in May 21, 2015 memorandum from Director of Public Works).

MS. LANDIS MOVED TO APPROVE THE 2015 ROAD MATERIALS AND RESURFACING PROJECT. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. Historic Preservation Committee Report

SMITH Steve Smith provided an update on the activities of the Historic Preservation Committee. The updates are summarized:

- Historically Significant Structures - The list includes 101 properties.
- Historic Plaque Program – Seminar to be held regarding preserving property. Program designed to display plaque properties with community pride. Letters sent with postcard responses to inquiries: 56% very interested; 14% somewhat interested; 11% undecided and 19% not interested.
- York County Comprehensive Plan includes York County Historic Preservation Plan. Public Survey issued in April; 700 responses with 65 from Springettsbury Township.
- Camp Security Preservation Area – Dig began during the week of May 18 and will continue for six weeks. Trenches are being dug to determine the location of a stockade.
- Highlighting Historic Properties – Four handouts presented, “This Place Matters.” Highlighted was 3405 East Market Street and its historical significance. He had provided the same handout to the Planning Commission meeting in April. He noted a comment made during that meeting that the properties would not be there next year.

Mr. Smith offered to respond to questions.

PHAN Ms. Phan questioned what the percentage is out of the hundred homes on the Historical Significant list are business owned versus residential/individually owned.

SMITH Mr. Smith responded that probably 15% are business owned.

PHAN Ms. Phan asked whether the four homes listed in the handouts are individually owned and are residential.

SMITH Mr. Smith noted that the property at 3405 is owned by an LLC. People do live in the properties.

LANDIS Ms. Landis asked why he attended the Planning Commission meeting in April.

SMITH Mr. Smith responded that he went to discuss some of the protections that the Historic Preservation Committee is discussing, such as the 90-day delay of demolition. He put together the four sheets of “This Place Matters” to get the feeling of the Planning Commission about historic properties.

LANDIS Ms. Landis questioned his comment overheard during the Planning Commission meeting in April that the properties would not be there next year. She was concerned because it appeared to be a done deal behind closed doors and it disturbed her. If something like that happened she encouraged him to come before the board with the concerns.

B. Rezoning Proposal – Spring Lane, LLC

LOBACH Jeff Lobach, Attorney with Barley Snyder, 100 East Market Street, York, Pennsylvania introduced himself on behalf of Spring Lane LLC, along with George Bullard, a Principle with Spring Lane and Todd Kurl, a project engineer. Attorney Lobach stated that their appearance before the board was to request approval to go before the Planning Commission for a review of the proper zoning for the northeast corner of the intersection Mt. Zion Road and Market Street consisting of 12 acres of land in a primary growth area. A summary of the presentation follows:

- There are 17 buildings within the acreage with six different driveways. Plan will involve a better-managed intersection.
- Current zoning is Neighborhood/Commercial; they are requesting a rezoning classification, as well as imposing the Town Center Overlay with all requirements.
- Town Center requires a master plan; this will be an integrated master plan with connections to Springetts Manor and sidewalks to other areas in the township.
- Additional needs for the plan will include reverse subdivision, land development, conditional use, etc.
- Advantages to the township residents are tax base, modern development including a new grocery store, services for residents, and sidewalks with amenities like plazas.
- Owners of historic properties want to sell.
- Traffic increase – a major issue; concern and responsibility to provide for safety.

SWOMLEY Chairman Swomley stated that the board is being asked for approval to move the plan to the Planning Commission to evaluate the request.

- RAUSCH** Solicitor Rausch added that if the board was inclined to pass it on and request a recommendation. He asked if that was to be a formal rezoning application where a fee is paid because it would then go to York County Planning.
- LANG** Ms. Lang noted that they already had paid for the formal application. The application will not be sent to the county until the board indicates whether to review it or not.
- LANDIS** Ms. Landis asked for clarification as to whether they went to the county before getting the board's decision.
- LOBACH** Attorney Lobach responded that they did not go to York County. They were told that there was a fee of \$500 and they included that check with their application.
- RAUSCH** Solicitor Rausch stated if it moves forward it will be sent to York County Planning, the township's Planning Commission for recommendation and then the board would hold a public hearing as well, to get public input before making a final decision on any rezoning.
- DVORYAK** Mr. Dvoryak commented that by going through the process, it in no way changes the board's obligations or rights. He noted that at this point the board has a lot of good information but not enough to make an informed decision.
- SCHENCK** Mr. Schenck stated that he had been involved in a similar rezoning request for the same corner. The board at that time rejected the request with the concern for moving traffic along with the proposed use at that time.
- SWOMLEY** Chairman Swomley encouraged the public to attend the Planning Commission meetings, as there are opportunities to speak as each plan is discussed.
- SCHENCK** Mr. Schenck stated that with regard to rezoning, there is a zero guarantee of the result. It is important to remember that the action would only rezone the land and not approve a project. If another developer were to want to develop that piece of land, the board could not say no if it complies with the zoning.
- SWOMLEY** Chairman Swomley noted that is the purpose for sending everything to the Planning Commission and reviewing the potentially more restrictive Town Center Overlay.
- LOBACH** Attorney Lobach noted that something will happen at this site and there are some pretty unfortunate things that could happen under the existing zone in a disjointed, unconnected, non-master plan way.

MR. SCHENCK MOVED TO FORWARD THE REZONING PROPOSAL FROM SPRING LANE LLC FOR CONSIDERATION BY THE PLANNING COMMISSION. MOTION CARRIED 4/1. MS. PHAN, MESSRS. SCHENCK, DVORYAK, AND SWOMLEY VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

C. Rezoning Proposal – York Container

DRISCOLL Attorney Mieke Driscoll, CGA Law Firm, 135 North George Street appeared before the board on behalf of York Container Company along with Dave Koratich from LSC Design and Steven Tansey, President of York Container Company. She stated that they are in the early stages for consideration for rezoning of the property. She stated that York Container owns four lots, of which they hope to combine three and do a reverse subdivision. There is no current development proposed in connection with the reverse subdivision and reallocation of the property lines. The rezoning request is considered a housekeeping matter. A summary of the discussion follows:

- This is a first step for York Container planning long-range to have 31 acres in one lot.
- York Container contends that Flexible Development would be most consistent use for entire property.
- Lot 8 is 19 acres and currently zoned Flexible Development; small corner of it zoned General Industrial.
- Two additional lots are currently zoned High Intensity Residential, R-1 Residential, undeveloped.
- Flexible Development Overlay would permit flexible development but would not discount the ability to add to the factory or could allow for an apartment building.
- Consideration of a buffer between property line and Market Street apartment complex.
- Request from residents that front Market Street for building an alleyway to allow access; however, York Container does not own the property in question.

MR. SCHENCK MOVED TO FORWARD THE REZONING REQUEST FROM YORK CONTAINER FORWARD THROUGH THE PROCESS TO THE PLANNING COMMISSION. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

There were no comments.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated he had nothing further to add to his written report.

10. MANAGER'S REPORT

DENNE Ms. Denne requested that the board confirm availability for a Strategic Planning Meeting to be held either June 3 or June 4. She needed to advertise the meeting.

Consensus of the board was to meet at 6:30 p.m. on Thursday, June 4, 2015.

DENNE Ms. Denne noted that the contractor for Fineview Drive had requested a 20-day extension to complete the project.

MR. SCHENCK MOVED TO APPROVE A 20-DAY EXTENSION TO THE CONTRACTOR FOR THE FINEVIEW DRIVE PROJECT. MOTION UNANIMOUSLY CARRIED.

- A. Resolution No. 2015-36 – Designating Mark Hodgkinson, Director of Public Works/WWT as the Township Official Agent to Execute FEMA-4030-DR-PA Disaster Relief Documents

MS. LANDIS MOVED TO APPROVE DESIGNATING MARK HODGKINSON, DIRECTOR OF PUBLIC WORKS/WWT AS THE TOWNSHIP OFFICIAL AGENT TO EXECUTE FEMA-4030-DR-PA DISASTER RELIEF DOCUMENTS. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 2015-37 – Recognition of James Crooks

DENNE Ms. Denne read the Resolution for the record. It is included here for the record.

Whereas James W. Crooks began his career as an operator/trainee in the Wastewater Treatment Department of Springettsbury Township on January 19, 1976. And Whereas James W. Crooks held various positions over his many years with Springettsbury Township, including Superintendent of Wastewater Treatment Plant, Superintendent Plant Operations and Maintenance, Superintendent of the Collections Systems Operations and Maintenance, Superintendent of Collection Systems and Superintendent of Public Works. Whereas James W. Crooks served the citizens of Springettsbury Township for more than 39 years with dedication and faithful service and Whereas James W. Crooks began his retirement from Springettsbury Township on May 1, 2015. Now therefore, be it resolved the Board of Supervisors of Springettsbury Township on behalf of all of its citizens, wishes to express their sincere gratitude and appreciations to James W. Crooks for his years of dedication and faithful public service. The Board congratulates James W. Crooks on his retirement and wishes he and wife, Susan, much happiness and good health. Adopted this 28th Day of May 2015.

MS. LANDIS MOVED TO ADOPT RESOLUTION 2015-37 RECOGNITION OF JAMES W. CROOKS. MOTION UNANIMOUSLY CARRIED.

- C. Resolution 2015-39 – Collective Bargaining Agreement between Springettsbury Township and Teamsters Local 776 for the years 2012, 2013, 2014, 2015, 2016, and 2017.

LANDIS Ms. Landis noted that she thought the public would be interested in some of the items included in the agreement.

DENNE Ms. Denne responded that for the years 2012, 2013, 2014, and 2015, the Union agreed to a lump sum of \$1,250 rather than a wage increase. There were no changes in the healthcare plan - no changes in the pension. Through the year

2017, the healthcare costs were kept below the Federal threshold that would enact the Cadillac Tax. It was also negotiated that at the end of December of 2017, the township will no longer be providing EMT Services and would outsource those services.

SCHENCK Mr. Schenck questioned whether the items mentioned in the contract refer to the MOU and that by approving the contract, the board also approves the MOU's.

DENNE Ms. Denne responded that there is language in the contract that indicates any dispute within the contract would refer to the MOU.

LANDIS Ms. Landis questioned whether the agreement allows any other areas such as Public Works or Wastewater to be eventually outsourced.

DENNE Ms. Denne responded that the MOU specifically addresses the EMT positions.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2015-39. MOTION CARRIED 4/1. MS. PHAN, MESSRS. DVORYAK, SCHENCK, AND SWOMLEY VOTED IN FAVOR. MS. LANDIS VOTED OPPOSED.

12. OLD BUSINESS

LANDIS Ms. Landis noted that she was sad to see Springettsbury Ambulance, Springettsbury EMT's leave, as it had been a longstanding entity with many years of service. She was sorry to see it dismantled at the end of 2017 and have a third party come in to take care of the Springettsbury residents.

SWOMLEY Chairman Swomley noted that on the positive side, with outsourcing, more ambulance service would be provided with higher levels of care. The service will be upgraded from Basic Life Support to Advanced Life Support with higher levels of qualifications for the individuals running the ambulance. There will be more service available to the residents of the community.

13. NEW BUSINESS

There was no New Business for discussion.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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