

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 10, 2013
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 10, 2013 at 7 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
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Patricia Lang, Director of Community Development
Jack Hadge, Finance Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Andy Hinkle, Manager, Information Systems
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order and welcomed the attendees. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that a Executive Session was held prior to the meeting this date to discuss the Williams legal case and another Executive Session will be held following the meeting this date to discuss the Landis suit against the township.

3. COMMUNICATIONS FROM CITIZENS

SCHENCK Chairman Schenck reminded everyone that comments should be limited to three minutes if possible. He stated that the board wanted to hear from the citizens, but ask that each speaker be as efficient as possible.

SPEICHER Betty Speicher, 101 North Marshall Street, stated that comments she had received from her fellow church members, as well as five of her neighbors, were very complimentary about the Saturday in the Park event.

HELLER Jane Heller, Idylwyld Road asked for information concerning a potential road from East Market Street to Concord Road.

SCHENCK Chairman Schenck responded that the road had been planned for many years and been funded. The township had worked with the county to acquire some land, and some structures were built. A traffic light was installed into the Food Lion shopping center because of the intended road. However, when permission was sought from the railroad to cross the track, it was denied; the township appealed but lost the appeal. The project currently is on hold until permission can be gained to cross the railroad track. He noted that there will be additional attempts made for permission to cross that railroad track, but it will not happen very soon.

HELLER Ms. Heller provided a lengthy update with regard to her attempts to assist Dollar General with finding a new location. She noted several issues:

- Fincor – West side would be available; not of interest to Dollar General.
- PA DEP – Leech fields to be re-sampled.
- York Valley Inn – Proposing to subdivide into six parcels.

Ms. Heller mentioned that she was pleased to see the forum taking place; however, the time frame is very short.

SLATKY John Slatky, 3673 Cimaron Road questioned ownership of historic property and whether it would be the township.

SCHENCK Chairman Schenck noted that the property owner is the property owner.

SLATKY Mr. Slatky noted that the owner can't sell the property because the historical group stops it.

SCHENCK Chairman Schenck stated that it all relates to the money. If the owner wanted to maintain the property as a historical landmark, they can do so.

SLATKY Mr. Slatky questioned whether, if a historical property is purchased, it comes off the tax role. He requested who would do the maintenance; insure it; determines the price, etc. He mentioned electric, water, sewer, trash collection, grass cutting, snow removal. He asked who would be responsible for those things. He could visualize a lot of problems with historical properties.

RAUSCH Solicitor Rausch commented that the particular issue had been faced by Historic York with regard to the Shultz house.

SCHENCK Chairman Schenck added that in that case, a private historical entity acquired a property with the intention of preserving it and found they could not afford it. That was the bottom line.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill noted he had provided a written report. The only update concerned the I-83 Exit 18 project. He noted the cost sharing had been revised by PADOT from 94% state, 6% Springettsbury Users Group to 98.86% state, 1.14% Springettsbury Users Group.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had provided a written report. He noted several updates:

- York Valley Inn – They are re-evaluating what could be done with that property. Mr. Luciani had a zoning discussion with them. They are not in a position to move forward at this time.
- Stonewood Park – Bulk of the work was completed; pads to be paved as next step.
- Commons Drive – Curbs were set in a number of locations; not up close to Eastern Boulevard which is still under discussion. They will meet at Planning Commission for further direction. Box culvert has not been approved.

LANDIS Ms. Landis asked for clarification with regard to the York Valley Inn property. She noted a review of re-zoning and potential Land Development Plans that could take up to 18 months.

LUCIANI Mr. Luciani responded that there is an approved and recorded plan that may be four or five years old, which proposed a strip mall. Since then the owners had determined there was no market for a strip mall in that location. The township would like to see some economic redevelopment take place and are attempting to find something to make a right fit. The owners had thought of a potential residential component, which zoning isn't suited for that now. If the board determined it could be, that's a possibility for evaluation.

HOLMAN Mr. Holman noted that the property currently is zoned Flexible Development, which is the most flexible area. However, that does not include residential. They had been looking for R1 for apartment complexes possibly for 55 and older.

BISHOP Mr. Bishop commented that on that particular subject, he would be interested at some point having some additional discussion about the idea of including

residential in the Flexible Development Zone. He recalled previous discussions about that in the past; however, he would like to re-address the issue to be sure the reasons are still valid.

LUCIANI Mr. Luciani noted some discussions from the past. However, he would have to review the code.

LANDIS Ms. Landis questioned the Triplet Springs update and the comment in his report concerning ordinance changes.

LUCIANI Mr. Luciani responded that the issues concern the fact that the plan is six years old with a two year old ordinance with different stormwater issues, road designs, setbacks. If the developer is not planning to move forward, the plan will be rejected and they will need to start over; or, they will be given one last window. The plan could run on for another 10 years. Rules change, and it becomes a bookkeeping nightmare. The latest commitment received from the developer was that they had done a market study and believe the condo units are viable. They plan to come back with a formal plan sometime in December. Mr. Luciani added that the MPC indicates that plans are good for five years because the rules change.

LANDIS Ms. Landis questioned when a plan is given a time extension whether that costs the township money.

LUCIANI Mr. Luciani responded that it does not cost the township money. Legal and engineering fees are reimbursed by the developer. Staff time is invested in keeping plans running and some townships, such as York Township, gives a one year limit on plans.

LANG Ms. Lang commented with regard to Ms. Landis' comment on giving developers extra time. The clock that is running is the township's 90 days to act on a proposal. The developer is giving the township an additional 90 days, which can be accepted at the township's discretion. With regard to Triplet Springs, the township indicated that it does not want any more time and wants the developer to move forward.

5. CONSENT AGENDA

- A. Board of Supervisors Regular Meeting Minutes – September 12, 2013
- B. Board of Supervisors Regular Meeting Minutes – September 26, 2013
- C. Authorization for Payment #3, 4 and 5 to AM-Liner East for the Yorklyn Sewer Lining Project in the Amount of \$402,226.55.
- D. Authorization for Payment #2 to Silvertip Inc. for the Fire House Plumbing Contract in an amount not to exceed \$45,092.25.
- E. Regular Payables as Detailed in the Payable Listing of October 10, 2013.

MR. DVORYAK MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS A THROUGH E. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were none for approval.

7. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization for Award of Haines Road Lining/Manhole Rehabilitation Contract to Abel Recon LLC in the total amount of \$490,480.00. Award includes base bid and add alternate #1.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION FOR AWARD OF HAINES ROAD LINING/MANHOLE REHABILITATION CONTRACT TO ABEL RECON LLC IN THE TOTAL AMOUNT OF \$490,480.00. AWARD INCLUDES BASE BID AND ADD ALTERNATE #1 FOR \$11,300. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to approve Change Order Number 1 for an increase in the total amount of \$2,759.00 to the contract with AM-Liner East, Inc. for Yorklyn Sewer Lining Project.

MR. DVORYAK MOVED TO AUTHORIZE APPROVAL FOR CHANGE ORDER NUMBER 1 FOR AN INCREASE IN THE TOTAL AMOUNT OF \$2,759.00 TO CONTRACT WITH AM-LINER EAST, INC. FOR YORKLYN SEWER LINING PROJECT. MOTION UNANIMOUSLY CARRIED.

- C. Motion to Approve Emergency Contract with GES Automation Technology for purchase and installation of Rockwell PowerFlex VFD for an amount not to exceed \$22,270.00. Emergency contracting was due to loss of a #2 Drive at the East York pump station.

MS. LANDIS MOVED TO APPROVE THE EMERGENCY CONTRACT WITH GES AUTOMATION TECHNOLOGY FOR PURCHASE AND INSTALLATION OF ROCKWELL POWERFLEX VFD FOR THE AMOUNT NOT TO EXCEED \$22,270.00. MOTION UNANIMOUSLY CARRIED.

- D. Motion to Approve Emergency Contract with Athens Solutions LLP for cleanup of property as authorized by court order. Cost is estimated at \$5,342.92.

MR. BISHOP MOVED TO APPROVE THE CONTRACT WITH ATHENS SOLUTIONS LLP FOR CLEANUP AT A COST ESTIMATED AT \$5,342.92.

- LANDIS** Ms. Landis noted that with additional work yet to be done, the cost could be significantly more than \$5,342. She stated that she was not comfortable approving something that could be double or triple the cost.

MOTION CARRIED 4/1. MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis requested an Executive Session to discuss Teamster negotiations and other police department matters. She would like that discussion to take place prior to the next budget work session on October 30th.

Consensus was to have that discussion prior to the next Board of Supervisors meeting scheduled for October 24, 2013. Mr. Holman will advise the time.

LANDIS Ms. Landis brought forward her request to place audio files on the website. She had discussed storage capacity with Mr. Hinkle. She asked for an update.

BISHOP Mr. Bishop noted that the issue of storage would not relate to the website but rather with storage of documents within the township.

LANDIS Ms. Landis asked Mr. Hinkle about the storage available for the website.

HINKLE Mr. Hinkle responded that he would have to investigate how much recording time there is for a meeting and how much the recordings are in terms of size, etc. He had based quotes on information he had received from Mr. Holman.

HOLMAN Mr. Holman reported that with regard to that subject, they would have to update the information, which is out of date. He noted that, as far as the storage capacity for the computer system, it is at maximum storage. They are bringing on extra capacity which would not be applied to the website. The website is stored out on gov office, and there may be a need to increase band width.

SCHENCK Chairman Schenck noted no opposition toward making that an agenda item in order to get it resolved. He suggested that the packet that had been put together before be updated for discussion.

DVORYAK Mr. Dvoryak added some feedback with regard to Saturday in the Park. Residents had been very impressed with the event, with the job the township staff does in putting that together, and it was very well received. He complimented the staff for another great event.

HOLMAN Mr. Holman noted that the staff appreciated the comments. However, without the volunteers, they could not get anything done; they're the backbone.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that the Federal Court had dismissed the township from the lawsuit that was filed by Supervisor Landis.

11. MANAGER'S REPORT

HOLMAN Mr. Holman had nothing to add to his written report. However, he planned to make additional comments under the National Geomatica Citizen Communication System later in the Agenda.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2013-39: Authorizing the Appointment of Patricia Lang as the Township Building Code Official and Ms. Angela Liddick as the Deputy Building Code Official.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2013-39. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Build America Bonds (BABS)

HADGE Mr. Hadge reported that in 2010 the township went into the bond market and borrowed \$19 million with Build America Bonds and with Tax Exempt Bonds, which became Series A and Series AA. In August 2011 the Budget Control Act created Sequestration, which affected all Federal government agencies, and the Build America Bonds, for which the township had been receiving 35% subsidy, were reduced. He noted Supervisor Landis' question as to the impact and how much money was lost. Mr. Hadge had presented a spreadsheet for the Supervisors' use. If Build America Bonds were compared with the Tax Exempt Bonds, there would be a savings of \$14,000. Interest is being paid on May 15th and November 15th. Build America Bonds were issued February 16, 2010 as well as the Series AA Tax Exempt Bonds. The figures indicated a savings of \$486,898.

Mr. Hadge stated when he files, he files for the full \$142,000, for which he will receive less at \$129,889 and \$132,023 in 2013. Even with the reduction the township will still save \$268,000 over the long-term period all the way to 2029.

DVORYAK Mr. Dvoryak noted that would be assuming the reduction stays at the current reduction.

- HADGE** Mr. Hadge commented that the reduction in November is slightly less, actually from 8.1% to 7.2%. However, any loss of funds will be made up through savings within the sewer fund budget as well as next year in 2014.
- DVORYAK** Mr. Dvoryak commented that even in a worst case scenario like a zero subsidy from the government, it still was a good decision.
- HADGE** Mr. Hadge responded that there was no question that it was a good decision.
- HOLMAN** Mr. Holman added that he understood the reasoning for filing the full amount is that if there are changes in Sequestration it is possible that can be reimbursed for the full amount as filed. In addition, the township has saved \$73,423 to date and continues to save. The bond counsel indicated that the 7.2% will continue for the foreseeable future until whenever the budget is adopted.
- RAUSCH** Solicitor Rausch commented that the reduction is actually in the sewer fund and there are other users. Springettsbury has 50% in the sewer.
- HADGE** Mr. Hadge responded that he was correct, that they are strictly sewer bonds.

B. Historic Preservation Meeting Update

- LANG** Ms. Lang reported that a lot of work had been accomplished since the previous discussions when a date and place had been scheduled. They had been working with URS to accurately identify information that the Historic Preservation Committee previously had put together on the top 100 resources, which included bulk areas for Pleasureville and East York historic districts. They reviewed the National Register for the plots and then converted that to the GIS. They identified all of the parcels and addresses and sent out 600 surveys. They received 75 back which was greater than a 10% response. They are attempting to gain an understanding of where people are in the issue and identifying the event scheduled for October 23rd. She noted she was pleased with the accomplishments to date.
- LANDIS** Ms. Landis noted some residents in the Druck Valley area, which has a huge historic area with a lot of homes over 100 years old. She stated that she had spoken with two individuals that had not received any letters.
- LANG** Ms. Lang responded that the list of 100 top resources prepared by the Historic Preservation Committee was used as a basis to begin the survey. They were listed as Class I resources, and one item was 100 properties in the Pleasureville historic district. They did a second mailing to a buffer around those particular properties. A third mailing will be based on a buffer of the individual resources. She added it was not their intent to get a survey to everyone in the township. Surveys will be available at the event. They

wanted to distinguish the responses to those who actually own a resource that had already been identified from those within the general public. She added that there was no question that not every resource had been identified in the township. She commented that everyone can come and attend the event and will have the opportunity to fill out the same survey. There is no need to have the results of the survey in place for the 23rd as they continue to gather information.

HOLMAN Mr. Holman reported they will advertise the forum twice in the newspaper, on the website and Facebook page and all the social media sites.

14. NEW BUSINESS

A. Authorization to Approve Tax Refund request for 2013: THF York Development (Parcel #46-JJ-0006) in the amount of \$79.95.

MS. LANDIS MOVED TO AUTHORIZE TO APPROVE THE TAX REFUND FOR \$79.95, PARCEL #46-JJ-0006. MOTION UNANIMOUSLY CARRIED.

B. Nat. Geo Citizen Communication System Presentation

HOLMAN Mr. Holman provided a detailed PowerPoint presentation on the logistics of the Springettsbury Township Citizen Inquiry program. The program will be accessed through the township website. He presented an in-depth review of how the system operated. The system will be used to respond and track citizen questions, comments, complaints, etc. The program will assist the township in quick response time to the residents.

SCHENCK Chairman Schenck commented that it should be made crystal clear that all the information will be strictly confidential.

HOLMAN Mr. Holman noted that the requests will come in automatically through email, and each request will be forwarded to the appropriate staff member for response. Information announcing this option will be placed on the website.

DVORYAK Mr. Dvoryak stated that conceptionally he thought it was a great idea. His up front concerns relate to a quick and timely response, which is a matter of importance. Secondly, he mentioned the customer service side of it in order to be sure that anyone interacting with the public through the program has some level of customer service training in order to respond in a positive way.

HOLMAN Mr. Holman responded that there will be a red flag on anything that goes two weeks or longer. It will take some time to practice and develop the program.

SCHENCK Chairman Schenck stated that he agreed with Mr. Dvoryak's comments. In addition, he thought the data gathering of trends in specific areas, types of problems, issues will be of great value from a strategic point of view.

BISHOP Mr. Bishop noted that in addition to Mr. Dvoryak's note on customer service, his personal experience is that there is a huge difference between written responses via email than personal responses. It is difficult to make sure that written responses come across properly, and that would be something for which everyone needed to be very clear.

HOLMAN Mr. Holman stated that this will be a learning process for everyone who is working on it, but it is an important part of social media.

LANDIS Ms. Landis questioned whether the request would be forwarded if a staff member was out on vacation.

HOLMAN Mr. Holman responded that, just as matters are handled by another individual during vacations, this will be forwarded to those assigned as well.

15. ADJOURNMENT

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

Respectfully submitted,

John Holman
Secretary

ja