

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 13, 2016
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, October 13, 2016 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Vice Chairman
Blanda Nace
Bill Schenck
Kathleen Phan

MEMBERS NOT

IN ATTENDANCE: Mark Swomley, Chairman

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Jessica Fieldhouse, Director of Community Development
Barbara Lindeman, Director of Finance
Mark Hodgkinson, Director of Wastewater Treatment Plant
Nitza Sanchez-Bowser, Director of Human Resources
Lt. Beam, Police Department
Dan Hoff, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

Pledge of Allegiance

DVORYAK Vice Chairman George Dvoryak called the meeting to order at 7:10 p.m. He welcomed the attendees. He apologized for the late start as there was an earlier meeting that ran longer than planned. He announced that Chairman Swomley could not be present this date. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. October 13, 2015 – 6:30 p.m. – Litigation

DVORYAK Mr. Dvoryak announced that an Executive Session had been held at 6:30 p.m. this date to cover a matter of the Shultz litigation.

3. COMMUNICATION FROM CITIZENS

BUPP Matt Bupp and Tim Debes of Nutech Engineering appeared before the board to discuss the renovation of the former Yorktowne Paper Mill in Spring Garden Township. He had recently purchased the property and is in the process of cleaning and renovating for prospective new tenants which will bring new jobs to York. He had provided paperwork for the board. A lengthy discussion took place, which is summarized:

- During the renovations it was discovered that the municipal sewer line had an issue.
- Two options available: directional bore a new line under Mill Creek; blow resin into the lines.
- The repair is estimated to cost approximately \$50,000 for which he is pursuing a state grant, but needs a municipal recipient.
- Spring Garden Township had discussed the project and suggested they discuss with Springettsbury.
- Risks for Springettsbury would be the need for bidding the project, using prevailing wage, and as owner of the line, be responsible for the operation and maintenance.
- Springettsbury board was not interested in owning a private pump station/sewer line.

RAUSCH Solicitor Rausch noted that Springettsbury received a letter in 2014 from the city indicating that they wanted the syphon closed and that the mill would be connected to the township pump station. Springettsbury had been operating under that last official word from the city. The line is owned by Spring Garden, and Mr. Bupp will be responsible for the elimination of sewage because the property is located in Spring Garden. The city must be willing to accept it. There must be some agreement if that were to occur.

BUPP Mr. Bupp indicated he would go back to the state to see what could be done as far as the grant was concerned and whether there might be other options to pursue.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill had submitted his written report. He had no changes and offered to respond to questions.

SCHENCK Mr. Schenck noted that Mr. Bupp mentioned he had consulted with Buchart-Horn about his project. He questioned whether the consultation was billed to the township or to the individual.

CRABILL Mr. Crabill responded that it had been billed to the township's miscellaneous collection system.

SCHENCK Mr. Schenck noted that he was sure that it was just a meeting; however, as the project evolves it may require more.

CRABILL Mr. Crabill responded that he was correct that it will become more involved. He added that they had only looked at it from the township line over. As far as the pump station, it was always assumed that it would either be private or Spring Garden. They never looked at it beyond that little connection.

SCHENCK Mr. Schenck noted that should be the extent of what he's reviewing.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani had provided a written monthly report. He had two updates:

- Quattro Development – The plans have been upgraded to include a restaurant and grocery store. The challenge is to handle the traffic patterns.
- Wallingford – A written response was received from the developer with a schedule to work through their punch list. A Right to Know request was received for the punch list as well; however, that punch list is approximately five years old and may have additional items.

NACE Mr. Nace requested that the letter from the developer indicating they would perform the punch list be sent to the residents.

PHAN Ms. Phan thought that the board had requested that correspondence be sent to the individuals who attended the meeting.

LUCIANI Mr. Luciani indicated it was the Wallingford HOA. He stated that he had some email addresses he could provide to Jessica Fieldhouse.

NACE Mr. Nace added that their names and addresses should be in the minutes when they attended the meeting and spoke. He noted he would appreciate keeping them in the loop.

PHAN Ms. Phan asked whether signs were placed on Yorklyn Gate. She had residents complaining to her because they park there and then drive through their yards.

LUCIANI Mr. Luciani responded that Yorklyn Gate was not included, which is a residential zone. He added that if Ms. Phan believed Yorklyn Gate is a problem he would review it.

PHAN Ms. Phan didn't think the residents care so much that they are parking there because it is a wide street. It presents a problem when their GPS's direct them to go through the neighborhood.

LUCIANI Mr. Luciani commented that he thought trucks were prohibited in that area.

PHAN Ms. Phan responded that he was correct.

NACE Mr. Nace noted it is for local deliveries only.

LUCIANI Mr. Luciani asked for clarification as to whether he should pursue a No Parking study on Yorklyn Gate.

PHAN Ms. Phan responded that she didn't want to move forward at this time. She wanted to make sure she was responding to the residents' questions properly. She noted that the truckers are responding well at McDonalds. She thought the problem was the trucks going through the neighborhoods.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – August 16, 2016
- B. Board of Supervisors Regular Meeting Minutes – September 22, 2016
- C. Regular Payables as Detailed in Payable Listing of October 13, 2016
- D. LD-16-06 – Time Extension – Advent Lutheran Church – Plan Expires 10/20/16 – New Plan Date (12/19/16)

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Enter into 2017 Animal Care and Housing Agreement with York County SPCA in an amount not to exceed \$13,334

MR. SCHENCK MOVED TO APPROVE THE 2017 CONTRACT WITH YORK COUNTY SPCA, AMOUNT NOT TO EXCEED \$13,334. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for discussion.

8. COMMUNICATION FROM SUPERVISORS

MS4

SCHENCK Mr. Schenck brought forward the recent discussion concerning MS4. He indicated his concern with the conversation about the costs. He did not believe there had been any estimate of the cost of doing the project separately. In addition, neither has the cost of participation in a regional cooperation. He asked if there could be some follow up to see if any of the costs are available. Following that doing the necessary due diligence must take place before writing a check.

MARCHANT Mr. Marchant stated that he and Ms. Fieldhouse had discussed the process. Currently Springettsbury has parallel tracts with York County to pursue this; however, he thought it would be prudent to pursue it independently. He had a conversation with First Capital Engineering with a request to put together a Scope of Work at an estimated cost of \$5,000 to \$7,000. This would provide an outline of the potential total project costs. He did not want to move forward and spend the funds without having the board's direction.

Consensus of the board was to enlist First Capital Engineering to put together a Scope of Work.

Saturday in the Park

SCHENCK Mr. Schenck asked whether there would be any final report for the board on Saturday in the Park.

MARCHANT Mr. Marchant responded that it would be included in the report for the board at the next board meeting.

PHAN Ms. Phan noted that she and Mr. Marchant had a discussion concerning the turnout for Saturday in the Park and whether the potential for rain had played a factor.

Mt. Zion/Market Street Rezoning

NACE Mr. Nace asked for the status on the plan for Market Street and Mt. Zion.

FIELDHOUSE Ms. Fieldhouse noted that she and Mr. Marchant had a discussion concerning the project. The goal will be to have a separate Planning Commission meeting in November where they can make a decision. She will provide an outline showing the parcels that are under contract and those that are Mixed Use and then save everything else for the Comprehensive Plan review.

Sherman Street Manholes

DVORYAK Mr. Dvoryak questioned the status of the manhole covers on Sherman Street.

HODGKINSON Mark Hodgkinson responded that they have the parts ordered and they will start with the worst ones and replace them using in-house staff. He reported that the manhole project was a PennDOT job. The manhole risers that were installed were put in wrong. The delay was for Mr. Hodgkinson to figure out who would pay for putting them in right.

PHAN Ms. Phan indicated she had several emails from residents regarding manholes that she would forward to Mr. Hodgkinson.

DVORYAK Mr. Dvoryak thanked Mr. Hodgkinson for the report and for moving forward.

9. SOLICITOR'S REPORT

Fire Station

RAUSCH Solicitor Rausch brought forward the matter of finishing the documentation on the fire station. The building is complete, and the township had recently taken dedication of the storm water pond next to it. Under the agreement the plan was that the township would own the land, but he understood that the Volunteer Fire Company would like to retain ownership. Solicitor Rausch suggested that the two be combined, the fire station lot with the storm water basin by a reverse subdivision. He suggested that it be finalized perhaps with a side agreement with the Volunteer Fire Company. If the board agrees the Fire Company could retain ownership and redo its deed with a reverter clause so that the property comes back to the township in the event that the Fire Company dissolves or no longer operates.

DVORYAK Mr. Dvoryak commented that it sounded as though there was an agreement and now the volunteers want to change it.

RAUSCH Solicitor Rausch responded that it was a fair statement. He thought more information was needed for a clear understanding.

SCHENCK Mr. Schenck noted that he is on the board of the Volunteer Fire Company. There are things the Volunteer Fire Company would like to do there and very specifically they want to build a storage building that is very much in character with the building. With their money it's a lot less costly and a lot more efficient for them to be able to do that. In order to do that they need to own the land. Otherwise if Springettsbury Township owns it, it must be bid and built at prevailing wage. He did not see any risk to the township of the Volunteer Fire Company owning the land. There must be a strong lease with a reverter clause.

RAUSCH Solicitor Rausch commented that historically the Volunteer Fire Company has owned the land, both at Commonwealth and at East Market Street station.

SCHENCK Mr. Schenck added that they had the reverter clauses there as well. It is tax exempt, and the township has already agreed to pay all the expenses for the building. He saw very little risk for the township but benefits to the volunteers. It will give them more flexibility there, a sense of ownership of what they had invested.

ECKERT Don Eckert noted that the volunteers paid almost \$600,000 for the land. They own the land of the original building.

SCHENCK Mr. Schenck added that technically because the building is there on land deeded to the fire company, right now the fire company owns everything. He acknowledged Mr. Dvoryak's comment of the change. The main focus is that the improvements the volunteers are willing to do with their own money and in that way they will not have to deal with issues that come with public money.

RAUSCH Solicitor Rausch asked whether there would be anything specific the board would like to see.

DVORYAK Mr. Dvoryak stated that the information given was very helpful and that anything the board could do to help the Volunteer Fire Company he would be in favor of it. He simply wanted to be sure not to put the township in a position where 50 or 100 years from now an agreement made today puts the township in a bad position. He added he was sure that Solicitor Rausch could work out the legalities.

MARCHANT Mr. Marchant noted an observation he had during his tour of the area was the storm water detention pond that is separate. He thought that would be good to consolidate that as one parcel and do a reverse subdivision.

SCHENCK Mr. Schenck indicated that there would be an advantage to having access to that storm water pond with the project they are anticipating.

LUCIANI Mr. Luciani indicated they could do a minor subdivision.

RAUSCH Solicitor Rausch stated he had enough direction to create some documentation.

10. MANAGER'S REPORT

MARCHANT Mr. Marchant stated he had provided his written report and would be happy to respond to questions. He followed up on Supervisor Nace's request for a work session, and he would like to schedule that at the board's pleasure. It would be good to discuss some of the issues in a more casual format. He agreed to send the board some dates.

SCHENCK Mr. Schenck commented on Mr. Marchant's creative thinking with regard to the grant scenario. He indicated that it was not nearly resolved but provided another set of options that may or may not work. He appreciated the creativity.

PHAN Ms. Phan agreed that it was refreshing.

11. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2016-51 – Designating Benjamin Marchant as Chief Administrative Officer for the Police Pension Fund.
- B. Resolution No. 2016-52 – Designating Benjamin Marchant as Chief Administrative Officer for the Non-Uniformed Employee Pension Fund

MR. SCHENCK MOVED TO APPROVE RESOLUTIONS 2016-51 AND 2016-52 DESIGNATING THE MANAGER AS CAO FOR TWO PENSION FUNDS. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business.

13. NEW BUSINESS

A. Historic Preservation Committee Report

SMITH Steve Smith provided two handouts for the board's information. He reported that he had read through the Comprehensive Plan, and there are three items addressed to the Historic Preservation Committee.

Mr. Smith explained the spreadsheet provided to the board, an update as of 9/21/16 of the list of Historically Significant Sites and Structures in the township. He noted that the HPC spent 10 years putting the list together. There are three sites listed in the National Register. One property on the list potentially may be used as a site for the Coroner's Office. Another item dealt with how historic structures are protected. Two years ago a draft demolition ordinance had been submitted, which was sent on to the township Planning Commission. He hoped that they would respond with something to the board soon.

SCHENCK Mr. Schenck commented that the draft ordinance was one of the last things the previous manager had been requested to make sure the board received. That didn't happen.

FIELDHOUSE Ms. Fieldhouse stated she had actually reviewed the draft ordinance and forwarded it to Solicitor Rausch. It will be on the November Planning Commission Agenda.

SMITH Mr. Smith thanked the township for doing some maintenance and painting at the farmhouse.

Mr. Smith presented some basic education with regard to the Historic Preservation Committee for both Ms. Fieldhouse and Mr. Marchant since they were new to the township.

RAUSCH Solicitor Rausch asked whether the list was simply a committee list not obtained by going to every owner with a question whether they want to be on the list.

SMITH Mr. Smith responded that it had always been an evaluation based on the property. They have had properties on the list that have been eligible for National Register and the owners at the time wanted them listed. Since that time there might be an owner that doesn't want them listed so it floats with the ownership. The property isn't removed simply because the present owner doesn't want it because the next owner might want it.

DVORYAK Mr. Dvoryak commented for clarification that a National Register designation provides no special protection.

SMITH Mr. Smith responded that he was correct, but it has a benefit because there are a lot of grants available for a property on the National Register. Essentially being on the National Register is actually a good thing from that respect.

NACE Mr. Nace asked if the list is on the website and whether it needed to be approved by the committee.

SMITH Mr. Smith responded that the last revision is on the website. They are listed not by owner but by type showing what it is and why it is on the list.

NACE Mr. Nace thanked him for a great list.

RAUSCH Solicitor Rausch stated he had been going through some old files relating to the park conversion. He had come across some very old deeds relating to the park back to the 1800's, 1876 original deeds. He thought the Historic Preservation Committee might be interested in them, all relating to at least 43 acres of the park and all with historical significance. He added that they were very frugal because back then they only used one "t" in Springettsbury.

14. ADJOURNMENT

DVORYAK Vice Chairman Dvoryak adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

ja