

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 14, 2013
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 14, 2013 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
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Angela Liddick, Community Development Coordinator
Don Eckert, YAUVFC
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees. He asked that, as part of the Opening Ceremony, to recognize the passing of Glenn Kline, who was the Fire Chief for many years. He was the Chief who took the township from a very active volunteer fire company to a professional fire department and served the township for 30 plus years as Chief. His son served in the fire service as well and recently retired. Chairman Schenck requested the following the Pledge of Allegiance to remain standing for a brief moment of silence. Chairman Schenck led the Pledge of Allegiance.

B. Loyalty Oath – Fire Police Officers

SCHENCK Chairman Schenck stated that two new Fire Police Officers would be sworn in. He asked Don Eckert to introduce the new officers.

ECKERT Mr. Eckert stated that it was his pleasure to introduce the two new Fire Police Officers, Ron Miles and Levi French. He indicated the township was very pleased to have them and that they had completed their Basic Training. Following the Oath of Office, he will present their official Fire Police Badge and they will be assigned for duty. He asked Chairman Schenck to lead them in the Oath of Office.

SCHENCK Chairman Schenck thanked Mr. Eckert. He indicated that the Fire Police have an interesting task that they provide for the township, and that is to provide a lot of traffic safety, as well as a lot of public safety in the event of emergencies. By Pennsylvania Charter they need to be a member of the fire department, but when they are performing their duties as a Fire Police Officer, they are under the direction of our police force. He noted that the police force is always very grateful for their efforts. They are called out at all hours of the day, seven days a week, and the Fire Police group in the township is very active. He provided the Oath of Office and congratulated them.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that a Executive Session was held on February 28, 2013 to discuss real estate and personnel matters.

3. COMMUNICATION FROM CITIZENS

HELLER Jane Heller, 1819 Idylwyld Road, spoke with regard to what is known as the Pfaltzgraff barn. She stated that a number of residents were in attendance to protest the permit that was given to the Susquehanna Bank of Pennsylvania to demolish the dairy barn owned and used by the Alva Long family. She presented the history of the barn dating back to 1821. She noted that she had addressed the County Commissioners who advised that the township could stop the action to demolish the barn by rescinding the permit, acquire the property and give it a use if the township were willing. She commented that the barn is very usable and should be saved. In addition, she was concerned with demolition of other historic structures in the future.

MILLER Jean Miller, 1318 East 11th Avenue, commented also about the building demotion by Susquehanna Bank. She stated that the barn is structurally sound, and there would be no reason for demolition other than the fact that the bank wanted the land. She noted that there will be nothing to show the younger generation other than pictures where it would be nice that they could visit, see and touch places of historic nature.

SCHENCK Chairman Schenck provided his perspective on the matter of the barn and noted that he was very disappointed as well to lose the structure. It is not the township's mission to see old historic buildings demolished. However, the township has no tools to deny this demolition, and it is not as simple as

rescinding a permit. The only recourse would be with the owner, and to sell the property is the owner's right. Many historic structures are lost all over the country. However, Springettsbury Township had, over the last year or two, acquired the property known as Camp Security and is in the process of acquiring another piece of that history. He stated that the township had looked very specifically into this situation to see if there was anything that could be done; however, the pressure needed to be with the property owner.

RAUSCH Solicitor Rausch commented that he was correct.

LANDIS Ms. Landis asked Solicitor Rausch why the County Commissioners would say that all the township needed to do as a board was to rescind the permit. She asked if that was incorrect.

RAUSCH Solicitor Rausch responded that he did not know if it was discussed with them or not, but he had no idea what the legal reason would be to rescind a demolition permit. He added that the permit was not issued in error. They applied for a demolition permit on a structure, and there was no way for the township to prevent that from happening.

LANDIS Ms. Landis questioned that there had been some issues with a proposed traffic light. She asked for an update on the status.

HOLMAN Mr. Holman noted that she was referring to the Development Agreement.

RAUSCH Solicitor Rausch responded that the land owner agreed to guarantee \$100,000 to the township toward that light if it is built within the next 10 years.

LUCIANI Mr. Luciani offered additional information concerning the traffic light. He stated that any signal that would be permitted must be reviewed by the Department of Transportation. He noted the following points:

- Seven different warrants should be met.
- Their traffic study, reviewed by the township, did not meet any of the seven warrants, one of which is traffic volume.
- Some retail spaces in that area are vacant.
- Township entertained an agreement for a new traffic study to be done after bank is in operation.
- If the warrants are met, the driveway is set up for a signal and the signal will be built.

FRY Judith Fry, 332 East Locust Street, City of York, commented on the Pfaltzgraff barn. She stated that the Commonwealth of Pennsylvania is one of the original 13 colonies. The responsibility is greater than the rest of the states to preserve and care for its history, architecturally and historically. She noted that there is nothing that will be built today that will be standing in 300 years. She commented that the Pfaltzgraff barn could be rehabbed and re-

used and still be a good building, part of the landscape and it is painful to the family and hurtful to everyone involved to see it demolished. She noted it could have been an awesome brewing company, restaurant or a small bank.

SCHENCK Chairman Schenck appreciated her comments and reiterated that nothing would have made him happier than to see that building repurposed and kept in intact. He added, again, that it was the decision of the owner of the building; not the township's decision.

FRY Ms. Fry noted that she is a property owner, and as a property owner should have a say over her property. She stated that the history of a property is not just the owner's but belongs to all citizens which is the other side of the matter.

TAPP Sharon Tapp, 12 Eastern Boulevard, stated that her mother was Kathleen Long, and she was the third child of Alva and Mary Long. Sharon is one of the grandchildren and she had many memories of growing up on the Long property where the barn was. She commented that none of the family really ever thought that the barn would be in jeopardy. She had done research, along with other family members and pointed out that the barn dated back from 1900, which statement was contrary to what the township's Historical Preservation Committee documented that it was built in the 1950's and that it had burned to the ground twice and was rebuilt. She noted for the future that they need to find ways to preserve historic structures including the mansion. She added that it was likely that John Dempwolf was the architect of the barn and had built the large addition to the original farmhouse in 1903. She concluded that she intended to get more involved with preservation efforts to try and save other structures.

SCHENCK Chairman Schenck noted that he had spoken with Jim Williams, an architect who had worked on renovations to the barn. Mr. Williams indicated that at that time the information was that the farm was built in the 1950's and in some regard he was just repeating what he had been told. He noted that the big hewn beams were more of a frame construction, but in the 1900's there were saw mills producing that kind of construction materials for that kind of barn.

TAPP Ms. Tapp confirmed that everyone she had spoken with who is involved in preservation agreed that it was somewhere between the 1880's and 1900.

SCHENCK Chairman Schenck indicated he hoped she would get involved with the Historic Preservation Committee.

TAPP Ms. Tapp responded that she intended to do so.

LANDIS Ms. Landis stated that she was sorry for her personal family loss with that and thanked her for speaking out. She indicated that the township's Historic Preservation Committee has listings of buildings and areas of interest in Springettsbury Township. She suggested that it might be an appropriate time to review that list for revision.

SCHENCK Chairman Schenck responded that he was aware that was something the Historic Preservation Committee intended to do and the mansion is on the list called Christmas Tree Hill. For individuals who are interested in getting involved in historic preservation, being on the township list is baby step number one. The next step is to get a property on the Historic National Register, and then the Pennsylvania Historic Museum Commission has to recognize it. They have the teeth to help preserve buildings. The township can do its part, but the property has to be elevated up the chain in a formal process. Even if a property is listed on the National Register, their regulations are clear and states that the owner can do whatever they want with the property.

HELLER Ms. Heller noted that Susquehanna Bank has the opportunity to change its mind, as she did not believe contracts had been signed. She suggested that the people call the bank managers and ask that they not tear it down.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had submitted his monthly report and had no changes. He noted that he had provided the board with a copy of the door postings for the lining project in response to the board's request.

SCHENCK Chairman Schenck responded that he appreciated it. He was glad the residents were being notified of the sewer work being done in their neighborhood. He added that, as a suggestion for the future, it might be good for the residents to understand the investment, why it's being done and why it's a positive thing for the community to have good, well maintained sewer systems. Chairman Schenck added that his comment was not directed at Mr. Crabill but just as a general comment.

HOLMAN Mr. Holman stated that the website page and the Facebook page will be updated with this information. He noted that the current newsletter that was just released had comments about the sewer project as well.

LANDIS Ms. Landis asked if the letter was mailed out to every resident.

CRABILL Mr. Crabill responded that they are placed on their front doors the day before or the week before. They just started the actual lining two days ago.

LANDIS Ms. Landis asked whether there are specific times scheduled.

HODGKINSON Mr. Hodgkinson responded that the times could change from day to day. The times will be posted as the work is scheduled. It is customized for whatever half a block they're working.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report. He had several updates.

- He attended a municipal storm sewer system conference held by the York County Realtors Association. Credit will be given on the township's MS4 report for attendance. Springettsbury is ahead of the curve with compliance.
- He met with Mr. Holman and township staff to discuss the new fire building, which seems to be moving along quickly. They are working towards a bid set. Commons Drive is under construction, and a work session will be held with engineers and the developer regarding the grade settings. Estimated completion for Commons Drive will be May/June.

5. CONSENT AGENDA

- A. Acknowledge Receipt of December 18, 2012 York Area United Fire and Rescue Commission Fire Pension Board Meeting Minutes.
- B. Acknowledge Receipt of January 15, 2013 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Board of Supervisors Regular Meeting Minutes – February 28, 2013.
- D. Regular Payables as Detailed in the Payable Listing of March 14, 2013.

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

6. SUBDIVISIONS AND LAND DEVELOPMENT

- A. CU-12-03 – 3013 East Market Street (Firehouse Square) – Request for Modification (Action)

JOHNSTON Eric Johnston, Firehouse Square Representative, requested two items for relief within the Town Center Overlay:

- 1) Radius from 25 feet to 35 feet for safe truck movements onto Market St.
- 2) Ordinance requirement for planting islands to buffer parking areas.

Lengthy discussion took place which is summarized.

Radius –

- PennDOT allows a 35 foot radius when truck movements are expected.

- Allowable minimum distance between intersection off Market Street in Commercial Zone to retail spaces is 40 feet.

Plantings –

- It is expected that trees would be planted; however, parking comes together in the middle of the site.
- A planting diamond is proposed to maximize amount of parking spaces for two proposed uses.
- Smaller shrub plantings would be planted on the two islands, and trees planted around the peripheral areas where there are no storm water management measures.
- Underground infiltration is proposed to meet the storm water ordinance.
- Plantings would be placed along the streetscape as well.
- Planting diamond is four feet square placed diagonally.

Additional Discussion -

- Driveway in rear of property built for fire company by Home Depot; recorded documentation provides access to and from existing site.
- Proposed uses have not changed since Conditional Use was approved.
- Traffic concerns and safety issues; bottlenecks during peak hours; signage if needed for direction to rear of property. More information will follow in the next few board meetings following the applicant's Zoning Hearing Board requests as well as PennDOT's recommendations.

MR. BISHOP MOVED WITH RESPECT TO CASE NUMBER CU-12-03 TO GRANT THE TWO MODIFICATIONS TO DESIGN CONSTRAINTS FOR STREET STANDARDS AND OFF STREET PARKING. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Agreement with Buchart Horn, Inc. for an Influent Pump Station Study in an amount not to exceed \$20,000.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH BUCHART HORN FOR INFLUENT PUMP STATION STUDY IN AN AMOUNT NOT TO EXCEED \$20,000. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Agreement with Buchart Horn, Inc. for Evaluating and Designing the Best Options for Small Collection System Projects in an amount not to exceed \$13,000.

MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH BUCHART HORN FOR EVALUATING DESIGN AND OPTIONS FOR SMALL COLLECTION SYSTEM PROJECTS IN AN AMOUNT NOT TO EXCEED \$13,000. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Enter into Stipulated Settlement Agreement with Market Street Commons, L.P. for Payment in Lieu of Dedication of Recreation Land.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO THE STIPULATED SETTLEMENT AGREEMENT WITH MARKET STREET COMMONS, L.P. FOR PAYMENT IN LIEU OF DEDICATION OF RECREATION LAND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Enter into Plan Modification Agreement with KASIV, LLC, 88 Theater Lane (Goddard School).

MS. LANDIS MOVED TO AUTHORIZE TO ENTER INTO THE PLAN MODIFICATION AGREEMENT WITH KASIV, LLC, 88 THEATER LANE (GODDARD SCHOOL). MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked for the status of the evaluations that were submitted to the Chairman.

SCHENCK Chairman Schenck responded that the evaluations were reviewed, the process was completed and the Manager received his evaluation.

LANDIS Ms. Landis asked when the evaluation took place as she was not informed.

SCHENCK Chairman Schenck responded that none of the board members were informed.

BISHOP Mr. Bishop stated that the board had given direction to Chairman Schenck to take care of the evaluation, and he did so.

LANDIS Ms. Landis thanked the board.

LANDIS Ms. Landis commented on the new fire station and reiterated her opposition of spending at least \$3.5 million of taxpayer money for it. She understood, in her absence, that the project had moved forward. She suggested that it would be appropriate, especially with the Opening Ceremony this date that the board would name the new fire station in honor of the late Springettsbury Fire Chief, Glenn Kline.

MS. LANDIS MOVED TO NAME THE NEW FIRE STATION IN HONOR OF THE LATE SPRINGETTSBURY FIRE CHIEF, CHIEF KLINE MEMORIAL FIRE STATION.

THERE WAS NO SECOND. MOTION DIED FOR LACK OF A SECOND.

LANDIS Ms. Landis provided the history of Chief Kline. He was Springettsbury's first career Fire Chief, 52 years as a Firefighter, who became Chief in 1971 and served as Chief until he retired in 1995, 24 years as a Fire Chief. He was instrumental in creating the York County Fire School. He was President of the York County Fire Chief's Association, President of the Eastern District of the International Association of Fire Chiefs. He was also a United States Army Veteran who served during the Korean War. He certainly was a mentor to many Firefighters. She added that she thought Springettsbury residents would be 100% behind the action of naming of this new building in honor of the late Chief Glenn Kline. She stated that it saddened her that she did not have a second or any communication with her fellow supervisors with respect to this.

DVORYAK Mr. Dvoryak stated that his hesitation had nothing to do with whether or not the building should or should not be named in his honor. He stated that there should be a process that would include a lot of the community such as the Volunteer Fire Company, the paid Firefighters, and collectively everybody who is a stakeholder in this should decide whether or not that's appropriate. He added that Chief Kline may very well be the choice, but he was not prepared this date to second the motion.

LANDIS Ms. Landis questioned whether the matter would be tabled for discussion in the future.

SCHENCK Chairman Schenck responded that it was not tabled; it died for lack of a second, but she was welcomed to bring it up as many times as she wanted. Procedurally that was how the process worked when one serves on a board.

LANDIS Ms. Landis responded that she understood and intended to bring the matter up again.

BISHOP Mr. Bishop commented that he had served on the board when Glenn Kline was Chief and worked with him extensively on a number of projects. He stated that he had absolutely no question in his mind that he was one of the finest men he had ever worked with as an employee of Springettsbury Township. In addition, there was no question that his memory should be honored. However, there had not been any discussion concerning naming anything after anyone, and procedurally there are many questions of how that would be considered.

LANDIS Ms. Landis asked what he meant.

BISHOP Mr. Bishop responded that a huge difference would be the contributions that individuals make, whether employees of the township should take a place over volunteers, different opportunities for naming a building, the science behind

naming opportunities or facilities. He indicated it would be wise to proceed properly and thoughtfully.

LANDIS Ms. Landis noted that it sounded like a lengthy process and that perhaps the board could sit down in a work session to decide the issues.

SCHENCK Chairman Schenck added that, as far as he knew, there are no township buildings named after any individual. That decision would have to be made as to whether or not to name township buildings.

BISHOP Mr. Bishop added that it would be somewhat a slap in the face for the board to decide at this meeting this date without even consulting the volunteers that the board was going to name a building for anyone. The volunteers have a significant contribution towards this building that the board should not ignore.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch requested a Executive Session following the meeting this date to discuss acquisition of real estate.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that he had attended the Goddard School groundbreaking ceremony this date, and they had thanked the board and the township staff for assisting them through the development process. They hope to be ready for the fall school year.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that he had no update to report.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Request for Tax Year 2012:

- 1) Commonwealth of Pennsylvania Department of Transportation (Parcel #46-11-65A) in the amount of \$124.69

MR. DVORYAK MOVED TO AUTHORIZE AND APPROVE A TAX REFUND REQUEST FOR 2012 TO THE COMMONWEALTH OF PENNSYLVANIA

**DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$124.69. MOTION
UNANIMOUSLY CARRIED.**

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session and adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman
Secretary

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