

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 8, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 8, 2005 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

**ATTENDANCE:** Bill Shenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
George Dvoryak  
Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director, Human Resources  
Jean Abregh, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri stated that there would be a blessing and the Pledge to the flag. He requested Pastor Donald Belch of Eastside Church to provide the blessing.

**BELCH** Pastor Belch prayed for the meeting.

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session would be held immediately following the Regular meeting to discuss two personnel matters.

**3. COMMUNICATION FROM CITIZENS**

**SCHENCK** Chairman Schenck noted a number of citizens were in attendance in order to comment or learn about the sketch plan review concerning the proposed Rutter's project. He suggested that an efficient method of handling that portion of the meeting was to have the individuals wait until the

presentation of that project. For other comments, he asked the speakers to please use the microphone and state their name and address for the record.

**Broadband Internet**

**STAHL**

Mr. Jere Stahl, 3731 Trout Run Road, spoke concerning the Broadband Internet access issue. He indicated that he was aware of a letter, which had been provided to Mr. Holman, which would create a system for reduction of costs to the Township and which would provide access to the Trout Run Road residents. He asked Mr. Holman for an explanation.

**HOLMAN**

Mr. Holman responded that two major computer projects are in the process of being completed. Upon completion, he will address the letter Mr. Stahl referenced, which had been sent to the Manager of Administrative Operations.

**SCHENCK**

Chairman Schenck asked about the origination of the letter.

**STAHL**

Mr. Stahl responded that he was informed that Andy Hinkle wrote the letter and that the company they've been working with is York Internet. He added that York Internet will connect equipment to high speed access presently in the Township building through the fiber optic system. He cited advantages of access for the police and fire department and the water treatment plant.

**SCHENCK**

Chairman Schenck stated that Mr. Holman would provide all the information necessary for the Board in order to make a decision.

**HOLMAN**

Mr. Holman noted that once the priority projects are completed by our MIS person Mr. Hinkle, then the issue will be addressed.

**BISHOP**

Mr. Bishop added that Mr. Holman was working on the priorities that had been set by the Board. He added that providing Internet access to residences is not something that Townships generally do.

**STAHL**

Mr. Stahl thanked the Board for their time.

**SusCom Service**

**WEAVER**

Mrs. Elizabeth Weaver, 3611 Trout Run Road, commented concerning the SusCom contract. She had reviewed the contract, which indicated that there must be 40 homes per mile to have SusCom extend their cable and modems. She wondered what the definition is "per mile."

**HOLMAN**

Mr. Holman responded that he would investigate with the contractor and determine that definition.

**WEAVER** Ms. Weaver added that she had checked the mileage with her car, and it was less than a mile from Mt. Zion Road. She asked if anything could be done to force SusCom to extend that coverage.

**BISHOP** Mr. Bishop noted that she had posed a very good question, and it would be the Township's responsibility to enforce the contract.

**HOLMAN** Mr. Holman noted that he had received documentation from ComCast and would be reviewing the contract and documentation with the Solicitor. During that review they would determine the mile measurement and advise Ms. Weaver.

**WEAVER** Ms. Weaver expressed her thanks.

**GILLESPIE** **School Students/Parking**  
Mr. Ronald Gillespie of 535 Hammond Road asked why school students park in their neighborhood when they have parking provided.

**BISHOP** Mr. Bishop commented that he did not understand how that would be possible; since the Board was assured that no students would be driving to that school.

**SCHENCK** Chairman Schenck added that the Board had done everything possible to be sure that this would not occur. This was the first report he had heard of it and he was not surprised.

**GILLESPIE** Mr. Gillespie added that some of them are park as far as two blocks from the school, and somebody picks them up and brings them back when school is over.

**BISHOP** Mr. Bishop understood that some students had lost driving permission to park at the school and they have to park in the neighborhood because they are not allowed to take their cars on school property.

**GILLESPIE** **Sheridan/Mundis Mill – Construction Vehicles Parked**  
Mr. Gillespie added that there is a resident on the corner of Sheridan Road and Mundis Mill Road, who brings home construction trucks just about every weekend and parks them on his lawn, and the place is beginning to look like a trash dump. Mr. Gillespie had discussed it with Mr. Henry several times and had filled out a complaint. However, the problem had not been solved.

**HOLMAN** Mr. Holman responded that he would visit the residence during his road trip on December 9<sup>th</sup>.

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**SCHENCK** Chairman Schenck asked that Mr. Holman contact the school to confirm the details of driving/parking privileges, which may be good for the school but not for the community.

**HOLMAN** Mr. Holman added that he had been in contact with the school district, and they had teachers patrolling the area. The district will be having a meeting in the future with the residents concerning Safe Routes to School. The Township is waiting for information from the state to determine ways to make sure that students do not park off the school premises.

**GILLESPIE** Mr. Gillespie thanked the Board.

**STUHRE** **Pleasant Valley Road – Left Turn Arrow**  
Mr. Charles Stuhre, 3680 Trout Run Road, asked for a progress report regarding his request for a left turn arrow on eastbound Pleasant Valley Road.

**HOLMAN** Mr. Holman responded that it was tied into the IFIP which was discussed during the Development Authority meeting earlier because all of those lights are tied into the exact same road.

**STUHRE** Mr. Stuhre stated that it would be so simple to put one arrow head and flip the switch so when the westbound is getting their left turn, eastbound gets the left turn. It would not be necessary to change any timing. Both sides would get the left turn at the same time.

**LUCIANI** Mr. Luciani indicated there are more failing movements involved. A detailed traffic study done in 2003 indicated what needed to be done. PennDOT requires only 12 foot lanes, and the existing pavement can't be used.

**STUHRE** Mr. Stuhre stated that a turning lane already exists with a stacking lane for left turns eastbound. Westbound gets 20 seconds to make the turn; eastbound has about 10 to 15 seconds to make their turn against cross traffic coming from the schools. It's a minute and 45 seconds between cycles.

**DVORYAK** Mr. Dvoryak asked whether there was a certain time of day when Mr. Stuhre experienced the problem.

**STUHRE** Mr. Stuhre responded that it could be any time of the day; however, it would be worse around Noon with Bradley Academy and York Technical Institute lunch time traffic. He asked for a temporary fix.

**LUCIANI** Mr. Luciani indicated that was something the Board could review.

**STUHRE** Mr. Stuhre stated that it wouldn't be necessary to spend \$1 million to do a \$.50 fix. He thought that extra equipment would be available in the Public Works Department.

Mr. Stuhre also indicated he was backing the Broadband issue. He thanked the Board.

**Sidewalk – Rockburn Playground**

**FERNANDEZ** Mr. David Fernandez, 1843 Wallace Street, spoke about the sidewalk at the exterior of the Rockburn Playground. He wondered what the plan was for the sidewalk which ends at the back of his property. He asked whether there was a further intention or whether it would end there.

**HOLMAN** Mr. Holman responded that it was part of the sidewalk program. He indicated he would review the situation and respond back to Mr. Fernandez.

**FERNANDEZ** Mr. Fernandez stated that the only way to access that walkway was through his backyard. He added that the Township had made a nice lane for the handicapped. Unfortunately, everyone is parked there but the handicapped. He suggested another sign, handicapped only, or something to that effect may help the situation. He noted that there are a lot of people parking in that lane, especially at night. He thanked the Board.

**School District Meeting Date**

**SNYDER** Ms. Mary Jane Snyder, 550 Hammond Road, asked when the meeting concerning neighborhood safety with the school district will be held.

**HOLMAN** Mr. Holman responded that he had preliminary discussions with Dr. Estep. The sidewalks will be installed during the summer, along with the closing of the school and the road. All residents will be notified before work takes place.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided several updates. Regarding Eden Road, the 30-day advertisement period for the permit expired. They are in close communication with DEP to get the permit written in order that the contractors can complete the project. Regarding the temporary paving on Ridgewood Road, the contractor had been asked to have that cold patch rolled and smoothed. Concerning the BNR Study letters were received from DEP by 190 treatment plants in the Chesapeake Bay Watershed of Pennsylvania. Springettsbury received a letter as well, which established a requirement to remove the nutrients previously discussed. There were no

surprises in the letter, itemized 8 milligrams per liter for nitrogen and one milligram per liter for phosphorus based on the 20/10 flow projections. It is just under 15 MGD, for which the plant is rated. It must be in operation by early 2010, and Springettsbury has a plan developed which is well underway.

**GURRERI** Mr. Gurreri asked Mr. Schober about the temporary patch job on Ridgewood Road. He stated that a resident had called him about the blacktop coming loose.

**SCHOBER** Mr. Schober responded that it is a challenge to get the patching done in a timely fashion. There could be additional damage done with snow plows; however, they will be getting them out first thing in the morning for repair.

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

**LUCIANI** Mr. Luciani reported on two updates. He stated that one zoning issue related to one of the Public Works projects. Regarding Concord Road, he and Teri Markley attended a meeting the first of December. The York County MPO was requested to move up the funding for Concord Road to 2006; it had been programmed for 2009. While no formal motion was made, the Transportation Improvement Program funding is being updated, and it was indicated that the MPO would move the funding. Secondly, several bids had been received for the Sheridan Road/Mundis Mill Road project from Doug Lamb and Robert A. Kinsley. A review will be made of itemized costs and a recommendation will be made some time in January. Thirdly, Charter Homes, planned to build a traditional neighborhood-type development in the area of Sheridan Road and Mundis Mill. They did get their variances recommended for 90 lots on the Carter farm. No Subdivision or Land Development Plans have been submitted, but that will tie into a fourth leg of the intersection.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of December 8, 2005**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES DETAILED IN THE PAYABLE LISTING OF DECEMBER 8, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There was nothing for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-05-14 – York County Emergency Services Center – Heindel and Davies Road  
(Action)**

**LUCIANI**

Mr. Luciani provided background information as detailed in a November 30, 2005 memorandum. He indicated that The County of York proposed to build an emergency operation center approximately 35,000 square feet in size, a parking structure for the emergency response vehicles and a fenced in secure area and other appurtenances in a 13,000 square foot area is also included with this plan. At the current time, the property is owned by York County and it is approximately 136 acres. Mr. Luciani provided a PowerPoint presentation showing the site plan, landscape plan, parking, access roadways, cul-de-sac, Concord Road extension and Norfolk Southern rail crossing at that location. Planning Commission reviewed and recommended the plan. No traffic study had been required in lieu of an agreement by the County, which agreement was provided, to allow the road to extend to Market Street. A modification was requested for the installation of sidewalks, pending the construction of the Methadone Clinic. The roadway and sidewalks will be reviewed at that time. Additionally, the County will terminate the roadway in a temporary cul-de-sac until the Norfolk Southern rail crossing installation. They will provide bonding to build the roadway to the railroad tracks. They are asking for a waiver for the temporary cul-de-sac, which exceeds Township length requirements. A storm water management basin depth waiver was requested to allow a depth of eight feet over the requirement of six feet. Staff does not object to this waiver. A waiver of storm water design criteria was requested, which includes the amount of flow to an inlet. Staff does not have a problem with that. A waiver for showing signs on the site plan was requested. Staff concurred with that request. A determination regarding Heindel Road will be made during the Methadone Clinic Plan. Several conditions are outstanding:

- Letter from York County Conservation District.
- Modification of some sewer notes.
- Identification of property monuments on the plan.
- Placing a note that storm water facilities and landscaping will be maintained by York County.
- Financial security and parking lot curbing.

**LUCIANI**

Mr. Luciani entertained questions from the Board. He indicated that the consultant for the project, L. Robert Kinsley was present to provide information as well.

**MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT 05-14, YORK COUNTY EMERGENCY SERVICES CENTER, TO APPROVE THE FIVE WAIVERS AND MODIFICATIONS DETAILED IN THE NOVEMBER 30, 2005 MEMORANDUM AND FURTHER TO APPROVE THE PLAN WITH THE SIX CONDITIONS IN THE**

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

**B. LD-05-16 – Nemo Pools – 2001 Industrial Highway (Action)**

**LUCIANI** Mr. Luciani provided background information as provided in a November 30, 2005 memorandum. He stated that Nemo Pools desired to construct an 8,000 square foot warehouse currently at the rear of their property. Mr. Luciani provided a PowerPoint presentation review of the site and parking. He stated that a request for a waiver of providing a preliminary plan was made, and staff had no objection. Planning Commission reviewed the plan with the following conditions:

- Letter of adequacy from the York County Conservation District.
- Note on plan that the landscape and buffer yards will be maintained by the owner.
- Some landscaping is being added adjacent to Industrial Highway to improve the aesthetics of the building and the site.
- Financial security including the inspection escrow, along with an agreement for future parking will be provided.
- An agreement will be provided concerning the intensity factor, in the event another party took over the site or there was a change in the number of employees, additional parking would be added.

**SCHENCK** Chairman Schenck asked whether the plan defined the future additional parking.

**LUCIANI** Mr. Luciani responded that it does and is noted on the site plan. An agreement will be provided in the event that additional parking might be required at a later date.

**SCHENCK** Chairman Schenck asked whether the area currently is paved.

**LUCIANI** Mr. Luciani responded that it is not paved and would remain green until such time as parking would be warranted. All storm water had been designed. Additionally, they do not anticipate any need for that parking plan now or any time in the future.

**SCHENCK** Chairman Schenck appreciated the work done to secure that parking if it is needed in the future. He indicated if it was not needed, he'd rather not see it paved.

**BISHOP** Mr. Bishop asked about the maintenance of the landscaping and buffer yard. He noted that would strictly concern maintenance following construction.

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

**FERNANDEZ** David Fernandez asked what sort of equipment would be used to bring in supplies, and what sort of access would that equipment have.

**SANDMEYER** Bob Sandmeyer, Site Design Concepts responded that a service dock is required for the warehouse. Additional trucks will not be necessary.

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT 05-16, NEMO POOLS WAREHOUSE, TO APPROVE THE FOLLOWING WAIVER:**

- **WAIVER OF SALDO §304/305.1 PRELIMINARY PLAN.**

**AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL AND A COPY OF THE EROSION AND SEDIMENTATION CONTROL PLAN;**
- **PROVIDING A NOTE ON THE PLAN THAT THE APPLICANT WILL MAINTAIN THE LANDSCAPE AND BUFFER YARDS;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN THE AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY;**
- **PROVIDING AN AGREEMENT ON FUTURE PARKING.**

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

**C. SD-05-12 - Frantz/Dodson Subdivision on Druck Valley Road**

**LUCIANI** Mr. Luciani provided background information, as documented in a November 30, 2005 memorandum. The plan proposed to make a lot line change, including a back piece of the property, and connecting it to another property. He indicated that no improvements are proposed with this subdivision plan. The plan was reviewed and recommended by the Planning Commission with several waivers as documented in the memorandum.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 05-12, DODSON SUBDIVISION, TO APPROVE THE FOLLOWING WAIVER:**

- **MINOR SUBDIVISION WAIVER IN ACCORDANCE WITH §22-310 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE.**

**WITH REFERENCE TO SD-05-12, DODSON SUBDIVISION, MOVE TO APPROVE THE PLAN AS PRESENTED. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop asked for clarification of the minor subdivision waiver.

**LUCIANI** Mr. Luciani responded that the minor subdivision included the elimination of all the requirements, as documented in the memorandum, for preliminary plan, streets and aprons, installation of curbs and gutters, installation of sidewalks, street lights and road widening.

**MOTION UNANIMOUSLY CARRIED.**

**D. Review of Sketch Plan – CHR Corp. (Rutter’s Farm Store) – Intersection of North Hills Road and Industrial Highway**

**SCHENCK** Chairman Schenck introduced a sketch plan review, presented by CHR Corp., Rutter’s Farm Stores, of a proposed store at the intersection of North Hills Road and Industrial Highway.

**LUCIANI** Mr. Luciani stated that Rutter’s originally had petitioned the Zoning Hearing Board for this use, which Board had rendered a negative decision. The decision was litigated through York County Courts, and a settlement agreement was reached. As a result they were permitted to submit a Land Development Plan. The plan was introduced to the Planning Commission as a briefing item. A review of this sketch plan will provide an opportunity for the Board to preliminarily discuss, in particular the landscaping plan along North Hills Road, along with other issues, and determine whether the plan should move forward.

A summary of items in Mr. Luciani’s introduction of the plan follows:

- Berm along North Hills Road.
- Site is a former Wolf warehouse near the rail crossing.
- Right-of-way at Norfolk Southern rail crossing.
- Barn along edge of the road is a constraint.
- Proposed substreet with cul-de-sac.
- Traffic study - median to be included.

**THOMAS** Mr. Eric Thomas of LSC provided a PowerPoint presentation of the proposed plan. Their purpose for a review of the sketch plan is to clean up some of the difficulties with the Land Development Plan. He showed some photographs of the site, which indicated a blighted area. He provided the site plan, which had been attached to the settlement agreement. A summary of his presentation follows:

- Addition of a left-turn lane with detector
- Right-in only with median to Wallace Street
- Additional driveway would be full a movement driveway
- Berm issue – ordinance requires 15-foot wide landscape strip; would require a 40-inch high wall with 30-inch berm. Other projects within the Township were permitted modifications on a case-by-case basis. Alternative suggested: one-foot high berm with shrubs, trees for headlight barrier.
- Cul-de-sac with 40-foot radius necessitated by a Met-Ed easement with high tension pole; ordinance requires 55 feet in industrial and commercial zones.
- Sidewalk modification to extend just to Wallace Street for pedestrian safety.

**RUTTER** Mr. Tim Rutter provided further explanations concerning the project. He focused on the extension of Industrial Highway and commented that both Spring Garden and Springettsbury Township's Comprehensive Plans call for such an extension. As part of the plan for this location, they will include that extension to the end of their property to coincide with the future implementation of the Comp Plan. Additional comments:

- Clean up of vegetation in residential area but keep natural buffers.
- Nothing will be done to areas which abut residential properties.
- Curbing will be installed to Wallace Street; eliminates current tractor-trailer parking problems along the highway.
- Spaces to be provided for truck customer parking; not overnight.

**THOMAS** Mr. Thomas continued with discussion of road improvements to the 83 corridor between Exits 16 and 19, which PennDOT has been studying. One concept included a loop which ties into the intersection. Neither Spring Garden nor Springettsbury want to lose a possible connection between the two townships. The plan allows for traffic movement with the extension proposed in this Rutter's plan. PennDOT would still have their access ramp with additional exits for residents.

**RUTTER** Mr. Rutter noted that as a result of meeting with both Springettsbury and Spring Garden, a letter was written by both townships asking PennDOT to meet to discuss this as an alternative to one of the plans being proposed. PennDOT has other options for discussion. A response to that letter with a meeting date schedule had not been received.

**BISHOP** Mr. Bishop asked whether the proposed plan builds off one of the PennDOT options.

**THOMAS** Mr. Thomas responded that it does and several of the options include the loop design, and the most economical plan was the changing of the southbound off ramp to a loop.

**LUCIANI** Mr. Luciani stated that two years ago PennDOT had presented their options to the Township; however, he had heard nothing further about those plans.

**THOMAS** Mr. Thomas stated that one additional item concerned the zoning issues and modifications dealing with parking spaces and set backs.

- Industrial zone required no loading, parking or storage facilities permitted in setbacks.
- In a commercial zone, parking would be permitted within 12 feet of the actual street right-of-way.
- Spaces proposed shown at 15 feet of the right-of-way; hoping for variance.

- RUTTER** Mr. Rutter added that another option would be to put the parking in the green areas south of the site. However, their intention was to leave that unchanged for storm water and the natural buffer between 83.
- SCHENCK** Chairman Schenck noted that it related also to the legal agreement, and acknowledged Rutter's legal counsel.
- COUNTESS** Attorney Jon Countess stated that he had negotiated the agreement reached with Solicitor Rausch through York County Courts, and it was presented to the Board for approval. He cited several points:
- Other uses permitted on the tract included a salvage yard and truck terminal.
  - Shape and size of tract is limited.
  - Addition of a left-turn lane, berm and headlight screen further limits the area for parking spaces.
  - Request for re-zoning was withdrawn with that parking stipulation.
  - Wooded buffer screened area to be maintained to the south.
- SCHENCK** Chairman Schenck asked Solicitor Rausch for his comment.
- RAUSCH** Solicitor Rausch responded that the agreement was attached as an exhibit so that, even though the specific parking requirements were not addressed in the agreement, the emphasis was to keep the active portion of the use as far north as possible. In order to do that, the parking needed to be accommodated. That regulation is permitted for commercial-type use.
- SCHENCK** Chairman Schenck noted that it was somewhat consistent with the thought process to treat this as though it zoned commercial.
- RAUSCH** Solicitor Rausch commented that it was part of the promise not to develop the southern portion of the property and to keep everything as far north as possible.
- COUNTESS** Attorney Countess added that the tract is a blighted area, which would be much improved with this plan. Rutter's agreed to maintain the entire wooded area as a screen and buffer. He commented that the requested waivers are not unreasonable.
- SCHENCK** Chairman Schenck commented as far as the cul-de-sac radius, on this particular layout, there would not be any difficulty as far as large trucks negotiating the site.
- COUNTESS** Attorney Countess stated that he was correct. The entrance into the rear of the site was widened for fire trucks or tractor-trailers.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

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- HOLMAN** Mr. Holman noted that calculations were being prepared for large truck turning in a 40-foot radius for the staff meeting.
- SCHENCK** Chairman Schenck noted that there are no sidewalks on either side of the street in that area.
- LUCIANI** Mr. Luciani stated that they are willing to install curb. It is not a topography or cost issue, but more a safety issue.
- SCHENCK** Chairman Schenck commented that there is a pedestrian path worn in the grass. Neither the developer nor the Township can do anything about that; however, there would be a sidewalk to nowhere.
- COUNTESS** Attorney Countess noted that with the installation of curbing, it will eliminate truck parking in that area.
- SCHENCK** Chairman Schenck asked where the curbing would be installed in relation to the road.
- THOMAS** Mr. Thomas responded that the curb would be near the entrance ramp and in line with the existing paving.
- SCHENCK** Chairman Schenck noted that he understood that no sidewalks could be installed. Pedestrians will have to walk in the travel lane.
- THOMAS** Mr. Thomas suggested installing lane striping with a six or eight-foot shoulder for pedestrians.
- SCHENCK** Chairman Schenck stated that any solution is horrible, but he didn't know the answer.
- RUTTER** Mr. Rutter indicated they had not opposed the sidewalks with the curb. It was a safety concern.
- SCHENCK** Chairman Schenck commented that pedestrian traffic could not be across a ramp to a four-lane highway.
- RUTTER** Mr. Rutter stated they would be willing to add the typical six-month note on the plan.
- HOLMAN** Mr. Holman added that if the plan were to be approved, there would be a six-month note in case that exit ever changed with whatever the new re-alignment will be.

**SPRINGETTSBURY TOWNSHIP  
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**SCHENCK** Chairman Schenck asked whether they had evaluated putting in the medial barrier with consideration of left turns out of the site at the southern entrance.

**COUNTESS** Attorney Countess noted that the addition of the median down to Wallace Street was added to prevent any left turns. That came as a result of a meeting with staff.

**SCHENCK** Chairman Schenck commented that the developer is looking for an idea from the Board concerning the landscaping, parking and cul-de-sac.

**RUTTER** Mr. Rutter responded that they had been working with the Township since January of '05 trying to get together with PennDOT, etc. They want to keep the project moving and presented it to the Board to solicit suggestions, ideas, changes. They will go back and work further with staff and Planning Commission and present a final plan to the Board.

**BISHOP** Mr. Bishop asked for clarification of the problems with the buffer. He was not sure if the problem was with the height, width or both or landscaping.

**COUNTESS** Attorney Countess stated that part of the problem is the space constriction because of the extra lane to be added. The rest of it has its visibility almost obscured, and it could be a safety issue coming in and out.

**SCHENCK** Chairman Schenck responded that the buffering requirements indicate if depth is not available, then height is necessary. That is the reason for a potential 40-inch high wall. If the lot were deeper and the whole project could be further back, no height would be necessary. The fact that there is no depth is what drives that requirement.

**BISHOP** Mr. Bishop indicated that what he heard is a recommendation that there would be no depth or height, and he needed further understanding.

**RUTTER** Mr. Rutter responded that instead of doing the wall is to come back with a berm and landscaping to provide the same thing basically as a wall without an actual wall being there. Instead of walls and fences, an elevated berm with plants could be constructed to act as a headlight screen.

**BISHOP** Mr. Bishop asked whether the requirement included a berm with landscaping.

**HOLMAN** Mr. Holman responded that he was correct.

**SPRINGETTSBURY TOWNSHIP  
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- BISHOP** Mr. Bishop commented that they were requesting that the berm not be as high as the ordinance recommended and still put the landscaping on top of it.
- THOMAS** Mr. Thomas responded that he was correct. He cited other developments that had approved the same waiver.
- BISHOP** Mr. Bishop stated that this development is very different from others. He wanted to hear an argument of why it would be inappropriate for this particular site.
- THOMAS** Mr. Thomas noted that as a trade-off to the walls, they are actually adding more shrubs than required.
- GURRERI** Mr. Gurreri stated that the development would certainly be improved with the green space and clean up. He wondered what would happen to the dead-end street, i.e., whether the Township would accept that or Rutter's would retain it.
- THOMAS** Mr. Thomas responded that it had been part of the settlement agreement that Rutter's would actually build it, and then becomes a Township right-of-way so then it would be dedicated to the Township for acceptance, whether accepted or not.
- COUNTESS** Attorney Countess noted that it was suggested that the Township would want the street to be dedicated and that it would become a Township road in the hope that it could eventually be connected.
- SCHENCK** Chairman Schenck stated that at some point they would want the street. He thought Mr. Gurreri's comment related to the fact that the Township would have to maintain it and plow the snow. It could be accepted in the future when it makes sense.
- GURRERI** Mr. Gurreri stated that he liked the road widening, the medial strip, two left turn lanes and cleanup of the site. He commented that the lighting should be reviewed carefully.
- COUNTESS** Attorney Countess indicated there was a lighting plan that had been presented as part of the preliminary final plan. The Board has not yet seen that, but it will show no illumination off the property.
- GURRERI** Mr. Gurreri noted that he had seen other places where it does shine off the property and that would be his question; it would be very important not to have it shine into the neighborhood.

**COUNTESS** Attorney Countess understood his concern. He added that it had been addressed and will be further reviewed.

**SCHENCK** Chairman Schenck opened the floor to public comment. He asked for each speaker to state a name and address for the record.

**1. Public Comment:**

**BABB** Mrs. Arlene Babb, 1753 East Wallace Street spoke against the project. She cited the following problems:

- Traffic problems for residents attempting to make both right and left-hand turns onto North Hills Road.
- Store will be opened 24 hours a day; convenience store robberies
- Convenience store, but not convenient for the neighbors.

**DVORYAK** Mr. Dvoryak asked Mr. Luciani when a point would be reached where a signal is required.

**LUCIANI** Mr. Luciani responded that the traffic study revealed an F level of service at Wallace Street. It could probably meet signal warrants; however, spacing of signals are placed at intervals not less than 1,000 feet. Wallace Street is probably under 500 feet from the current signal.

**THOMAS** Monica Thomas, 25 North Russell Street, spoke against the project and noted that she had visited convenience stores on Friday and Saturday nights.

- It was not a nice environment.
- Many are hang-out joints with people milling and loitering. It is not what she wanted in her neighborhood.
- There are 400 homes deep which will be affected by this.
- Even though there will be buffering, headlights from cars will invade the neighborhood.

**FERNANDEZ** David Fernandez, 1843 Wallace Street, spoke against the project. He cited:

- Safety factor – a very, very congested area.
- Traffic on North Hills Road backed up a half mile at times.
- Visibility beyond the hedges.
- Accidents that happened at Memory Lane and Industrial Highway through McDonald's, a similar location.
- Truck traffic will add to congestion, along with noise, at all times of the night.

**LUTZ** John Lutz, 106 North Marshall Street, spoke from a neutral position. He noted:

- Residents see problems; developers see business.
- Property site has many problems.

- Height of wall; lights from cars
- Turning lanes and 18-wheelers
- Kids go to Rutters; must cross North Hills Road
- Convenience store increases traffic volume
- Noise from 18-wheelers especially at night
- Land use – lots of problems to resolve with Township requirements

Mr. Lutz noted also that Rutter's had tried to make concessions, and the idea of keeping the developed part of this land away from the homes on North Hills Road is a great effort in that respect. He commended Rutters for that. However, he noted that it appeared to be a rather large building with lots of pumps and parking for the 18-wheelers. He thought it would be a problem for the neighborhood. He urged the Board not to make too many concessions. Having sat on the Zoning Hearing Board he was aware of the decisions facing the Board. The quality of life in the Township and in that neighborhood should be number one.

**LEAVENS**

Jim Leavens of 2209 East Philadelphia Street, spoke against the project stating that the quality of life is great in his neighborhood. He did not believe another convenience store was needed. If given a choice he would prefer to maintain the quality of life.

**SCHAEFER**

Tom Schaefer, 138 North Keesey Street, spoke against the project. He cited many points, summary which follows:

- Project does not fit in that site.
- Cul-de-sac will not accommodate fire trucks and 18-wheelers.
- An attractive nuisance for many kids.
- Pedestrian crosswalks nearly impossible to set up.
- Obvious traffic issues.
- Berm and buffer, which are absolutely necessary, won't work well.
- Not a convenience for a neighborhood that doesn't want it.
- Area is blighted, but putting a convenience store in there will not be an improvement to the neighborhood.
- Property values may be impacted negatively.

Mr. Schaefer provided a historical review of the area:

- Only reason the site was zoned industrial was because it happened to have been there before there was any zoning.
- North Hills was a dirt road, and it didn't even go through the whole way to what is now Whiteford Road.
- Impact of the old barn, which was there long before anything else.
- The Livingston house, which was the tenant house built for the overseer of the land. It is one of the more historically significant houses in the area; architecturally it is a unique property.

- SHIVE** Vicki Shive, 36 North Findley Street, spoke against the project:
- Additional traffic adds to cut through neighborhood traffic.
- SCHAEFER** Janice Schaefer, 138 North Keesey Street, spoke against the project for all the reasons previously mentioned.
- Light pollution from headlights had been discussed.
  - Not much mention of lighting from the store and site itself.
- THOMAS** Craig Thomas, 25 North Russell Street, spoke against the project. He noted:
- Route 83 traffic would be directed to the site for gas, etc.
  - Cars will of necessity travel Market Street to the site and add to that congestion, as well as the traffic in the hospital area.
- HADGINSKE** Paul Hadginske, 35 North Marshall Street, asked whether a traffic study was performed.
- LUCIANI** Mr. Luciani responded that the study had been done.
- HADGINSKE** Mr. Hadginske asked whether a copy of that would be available to the public.
- LUCIANI** Mr. Luciani responded that it is available, and he would be able to secure a copy through the Township. He added that he had reviewed the traffic study and provided 20 or more comments. There were modifications to the plan, and the traffic study will be updated.
- HADGINSKE** Mr. Hadginske asked whether there was anything on the traffic study that discussed the increase in traffic.
- LUCIANI** Mr. Luciani provided a step by step synopsis of what is done during a traffic study with the inclusion of a convenience store. He added that North Hills Road is a state highway, so in addition to the Township's review; PennDOT has their own engineers who review traffic studies. They will have additional input.
- HADGINSKE** Mr. Hadginske asked how northbound traffic access the Rutter's store.
- LUCIANI** Mr. Luciani responded that a left-turn lane will provide access.
- HADGINSKE** Mr. Hadginske asked how many cars could back up in the left-turn lane.
- LUCIANI** Mr. Luciani responded it would be part of the study, and he would guess there would probably be two or three.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 8, 2005  
APPROVED**

- HADGINSKE** Mr. Hadginske commented that if more than three or more cars want to make a turn here, this whole road would be blocked.
- LUCIANI** Mr. Luciani stated that he was correct, and the study would include peak times, etc.
- HADGINSKE** Mr. Hadginske noted that he had attempted to make a left turn onto North Hills from Market Street at 5:30 p.m., and it took two light signals because the traffic was backed up. That was without a store holding up traffic. He could not believe they want to put a store there.
- RUNK** Franklin Runk, 149 North Hills Road, spoke against the project. He noted:
- Lighting
  - Young children
  - Traffic
- FERNANDEZ** Dave Fernandez commented against the project with an additional point, which concerned drainage. He noted a creek that runs along the railroad track. He wondered what affect the property would have there regarding drainage.
- SCHENCK** Chairman Schenck stated that the developer would like to have an indication of the Board's thoughts regarding the landscape modification, the parking, and the cul-de-sac radius.
- GURRERI** Mr. Gurreri noted Mr. Schaefer's comment about the green space. Someone owns that property who wants to sell it, and the residents could buy it and make it green space. Also, someone has the right to build on it. Even if the Township agreed to waiver the items, PennDOT might not approve it. Mr. Gurreri noted that he was in favor of waiving the items. It would be a real asset to clean up the area. He agreed that traffic is terrible, and with the addition of children, it is a terrible situation. If the bypass off of 83 is constructed, that would help a great deal with traffic in front of the homes.
- FERNANDEZ** Mr. Fernandez commented that the area is already congested and adding accesses will just bring more traffic.
- GURRERI** Mr. Gurreri responded that it couldn't be turned down for that reason.
- SCHAEFER** Mr. Schaefer stated that if Mr. Gurreri thought it would be an asset, 20 people just stated that it would not be.
- GURRERI** Mr. Gurreri responded that the property owner has a right to sell or use the property. That can't be taken away legally.

**BISHOP**

Mr. Bishop stated his comments concerning the plan.

- Buffer yard – protect the neighborhood in any way possible and provide buffering closer to what the ordinance requires.
- Cul-de-sac – No personal qualms one way or the other. One of the ultimate objects of the Township is for that road to go through to Spring Garden Township. Building part of it is a good start.
- Traffic controls – Make North Hills Road safer with extraordinary traffic measures going beyond what traffic studies indicate. Anything to mitigate traffic.

**SCHENCK**

Chairman Schenck voiced his opinions:

- PennDOT can mandate regulations that the Township can't and a resolution could be provided completely different from what was expected.
- Concern for North Hills left in and out with a traffic light close by. PennDOT will provide the permitting for the driveway.
- Buffering – Intent of the ordinance for buffering was for buffering.
- Cul-de-sac – No problem – a reasonable solution can be found for that.
- Parking – Parking close to the street makes simple sense.

Chairman Schenck commented for the residents to understand that as frustrating as it can be, if Rutter's determined to develop this site, they could likely do it without any waivers. They may not get the ultimate design they expected, but this can be built and there is no legal reason the Board can say no. This Board is looking for the very best plan possible.

**DVORYAK**

Mr. Dvoryak echoed what had already been stated, and specifically concerning the buffering, as well as traffic. To the extent those gaps can be closed, it would be a positive improvement for that area.

**SCHENCK**

Chairman Schenck asked the developer whether the information he had gained was what he needed at this point.

**THOMAS**

Mr. Thomas responded that it was sufficient and they would continue to work with the staff.

**Consensus of the Board was to take a short recess at 9:25 p.m. The Board reconvened at 9:30 p.m.**

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK**

Chairman Schenck stated that he had been asked to serve on the York Counts, which had nothing to do with the Township; however, they

wanted someone who was involved in the Township. Before he agreed to serve, he wanted to discuss it with the Board.

**BISHOP** Mr. Bishop commented that participation in York Counts is generally a good thing as far as he could tell. They definitely want Mr. Schenck because of his involvement in the Township. However, he has valuable personal qualities as well.

**Consensus of the Board was that Mr. Schenck should participate in York Counts.**

**BISHOP** Mr. Bishop stated his displeasure about the signs in the Township encouraging people to purchase Christmas trees next to Ollie's. He stated it is the worst perversion of charities and the Township ordinance that he had seen and he encouraged the Board to take action quickly.

**GURRERI** Mr. Gurreri agreed with Mr. Bishop and added that there are people in the Township that grow flowers and do business in the Township who wouldn't do that. Mr. Gurreri agreed that it should be addressed.

**BOWMAN** Mr. Bowman asked about the status of the guard rail in front of McDonald's on Memory Lane.

**LUCIANI** Mr. Luciani had discussed the particular guard rail with Mr. Lauer. The rail had been marked, and because it is a state highway, PennDOT is responsible for the repairs.

**BOWMAN** Mr. Bowman commented about the partly finished lot at Henry's Beverage on Prospect Street.

**HOLMAN** Mr. Holman responded that the Township had been in contact with him to complete the job, even if it takes notification that it will go to court again.

**GURRERI** Mr. Gurreri asked what he was building there.

**LUCIANI** Mr. Luciani responded that no storm water drainage had been constructed.

**HOLMAN** Mr. Holman added that the inspectors had visited the site. There is a lot of debris that needs to be cleaned up and the site can look better, even though they're waiting to finish the storm water pit.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated he had only one item for action, which was to approve the Resolution and Trust Agreement to establish the Harry Joseph Schenck Memorial Eagle Scout project at Stonewood Park. He stated that the purpose of this is, of course, to honor the memory of Harry Schenck.

The Boy Scouts of Troop 25 and family and friends completed Harry's Eagle Scout project by constructing a wooden plank bridge connecting the trails and pathways encircling the wetlands at Stonewood Park. There is a stone memorial and plaque placed there in memory of Harry. The family would like to continue to see that that memorial be maintained by the Township and has offered to place monies in trust with the Township in order to preserve and maintain care for that memorial. Solicitor Rausch had prepared the Resolution to authorize the execution of the Trust Agreement, which appoints the Township as Trustee. There is an initial sum principal of \$11,000, and the Township would be authorized to use income or the principal of the trust for maintenance of the park facilities. William and Harriett Schenck will be co-trustees and in the event that they could no longer serve in that capacity, alternate co-trustees would be Hilary Schenck Eidam and Bradley Stine. He cited precedent with the library fund establishment with trust funds to keep the library facility. It does authorize the Township to accept funds for various memorials. The purpose of the trust is appropriate and the Township as trustee is also appropriate. The Township is the owner of Stonewood Park and would best be able to manage those funds. He requested the Board's consideration.

**SCHENCK** Chairman Schenck asked Mr. Bishop if he would handle the transaction as Vice Chairman of the Board.

**BISHOP** Vice Chairman Bishop asked whether there were any questions regarding the Resolution before the Board for adoption, which would authorize signing of the actual trust agreement. He called for a Motion.

**MR. DVORYAK MOVED FOR ADOPTION OF RESOLUTION 05-74 AUTHORIZING THE TRUST AGREEMENT TO ESTABLISH THE HARRY JOSEPH SCHENCK MEMORIAL EAGLE SCOUT PROJECT IN STONEWOOD PARK. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked Mr. Bishop and Solicitor Rausch for their handling of the Memorial matter, and the Board for their support of the Resolution.

**RAUSCH** Solicitor Rausch noted that the Board would provide an agreement to withdraw the PUC application on Concord Road and it be circulated for signatures. Once completed, a check will be issued to Norfolk Southern to allow the Township to use or cross over the track in order to complete that construction. Continued work is being done with the York Town Center developer to get that agreement back to the board in January. Additionally, work is continuing on the revised plans for Stonewood Road, which will come back to the Board for action.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman requested a motion from the Board to extend the time frame for the Developer's Agreement for Members' First and York Business Center by 30 days. They had intended to address the two projects January 12, 2006, which is the 91<sup>st</sup> day based on the 90-day time frame provided to them by the Township.

**SCHENCK** Chairman Schenck stated for clarification that it would involve two separate agreements.

**HOLMAN** Mr. Holman responded that he was correct; two different Developer's Agreements. Each plan was approved at the same meeting, and the Developer's Agreement was to be completed within 90 days. A 30-day extension is needed in order to complete the agreement and file the plans.

**MR. BISHOP MOVED TO APPROVE A 30-DAY EXTENSION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that the reorganization meeting is to be set and advertised for Tuesday, January 3rd at 7:00 p.m., and that will be set by ordinance. Mr. Holman added that he would discuss the Christmas tree signs with the Solicitors to determine what can be done.

**SCHENCK** Chairman Schenck asked Mr. Holman for a report on the leaf issue on Trout Run Road.

**HOLMAN** Mr. Holman responded that the leaves had been picked up. There was one small pile out there after the fact. He noted that they are behind schedule right now on leaves due to the snow and rain.

**GURRERI** Mr. Gurreri asked for an update on the welding materials at the prison.

**HOLMAN** Mr. Holman responded that he would have to check and respond to Mr. Gurreri. He stated that there were several investigations into the weld joints.

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

**A. Resolution No. 05-66 – Establishing Average Residential Lot Price Figure for Calculating Fee in Lieu of Recreation Land Dedication**

**SCHENCK** Chairman Schenck stated that the Resolution establishes the average residential lot price.

**HOLMAN** Mr. Holman responded that he had reviewed the matter and \$70,000 is the correct price based on average sale, and that equates to a per lot charge of \$1,032.13. By Ordinance it is necessary to set this each year.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-66 ESTABLISHING AN AVERAGE RESIDENTIAL LOT PRICE FIGURE FOR CALCULATION OF FEE IN LIEU OF RECREATION LAND DEDICATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-70 – Amendment of Fee Schedule**

**HOLMAN** Mr. Holman stated that adjustments had been made based on discussions with the Board that the fees would take effect as of January 1, 2006.

**SCHENCK** Chairman Schenck asked whether anything was being done with sketch plans.

**HOLMAN** Mr. Holman responded that no sketch plans were anticipated to come before the Board. Sketch plans will cost from \$50 to \$200. The fees all take effect January 1st, the normal time frame for making them effective.

**SCHENCK** Chairman Schenck asked Mr. Schober about the tapping fee, which he thought had gone down rather than up.

**HOLMAN** Mr. Holman indicated that the tapping fee was set by Ordinance.

**SCHOBBER** Mr. Schober indicated it had been addressed in the spring; however, he did not recall the numbers.

**HOLMAN** Mr. Holman stated that the numbers and administrative rule will be reviewed and corrected if necessary, to match the Ordinance.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION 05-70 AMENDING THE FEE SCHEDULE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-71 – 2006 Budget Adoption**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-71, 2006 BUDGET ADOPTION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-72 – 2006 Tax Levy**

**SCHENCK** Chairman Schenck noted that because the assessment was changed, the millage must be changed.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 8, 2005  
APPROVED**

**HOLMAN** Mr. Holman stated that if the reassessment had not occurred, the tax rate would be the same. At this point the millage is down because of the reassessment, so each individual home had a change of assessments. The Board had managed through the budget process to retain costs and impacts on the residents.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-72, THE 2006 TAX LEVY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 05-73 – Ratifying Joint Agreement with the York Adams Tax Bureau, Appointing the Bureau as the Collector of Taxes and Approving the Bureau’s By-Laws.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-73 RATIFYING JOINT AGREEMENT WITH YORK ADAMS TAX BUREAU APPOINTING THE BUREAU AS COLLECTOR OF TAXES AND APPROVING THE BUREAU’S BY-LAWS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – October 13, 2005**
- B. Board of Supervisors Budget Work Session – October 26, 2005**
- C. Board of Supervisors Regular Meeting – October 27, 2005**
- D. Board of Supervisors Budget Work Session – November 9, 2005**
- E. Board of Supervisors Budget Work Session – November 16, 2005**
- F. Board of Supervisors Regular Meeting – November 16, 2005**
- G. Board of Supervisors Budget Work Session – November 30, 2005**

**MR. GURRERI MOVED TO APPROVE THE MINUTES AS SHOWN ON THE AGENDA, ITEMS A THROUGH G. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of October 31, 2005 Treasurer’s Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE OCTOBER 31, 2005 TREASURER’S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of Parks and Recreation Department 2005 Annual Report**

**SCHENCK** Chairman Schenck noted that the format of the report had changed, and it had been much easier to read and follow. He very much liked the presentation.

**HOLMAN** Mr. Holman added that the report had been done in-house.

**MR. DVORYAK MOVED TO ACCEPT THE RECEIPT OF PARKS AND RECREATION DEPARTMENT 2005 ANNUAL REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Springettsbury Township Volunteer Fire Company (STVFC) By-law Changes**

**SCHENCK** Chairman Schenck stated that the Springettsbury Township Volunteer Fire Company passed a proposed change to their by-laws. The change referred to the section that indicated for the first five years after the Township's settlement with them if they wanted to make any changes to have it come to the Board of Supervisors for approval, and it is still within that five-year window. The changes they are making are basically to open up the qualifications to serve on the Board of Directors to take out some requirements that would effectively cause there not to be enough people eligible to serve on the Board. Terms will be staggered for the positions. He indicated that Don Eckert spent many hours rewriting the By-laws.

**MR. BISHOP MOVED TO APPROVE THE PROPOSED AMENDMENTS TO THE BY-LAWS OF THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Amendment to Ambulance Vehicle Lease Agreement**

**MR. GURRERI MOVED TO APPROVE THE AMENDMENT TO THE AMBULANCE VEHICLE LEASE AGREEMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck reminded the Board of the Executive Session to commence immediately. He adjourned the meeting at 10 p.m.

Respectfully submitted,

John Holman  
Secretary  
ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 30, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 30, 2005 at 7:30 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

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

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Charles Rausch, Township Solicitor  
Andrew Stern, Managing Director/Interim Fire Chief

The Board of Supervisors held budget work session number seven on the above date and time. The purpose of the work session was to discuss amendments to the June 24, 2004 Springettsbury Township Fee Schedule.

Chairman Schenck called the meeting to order at 7:30 a.m.

Mr. Holman stated that following discussion of amendments to the fee schedule, he would like to provide the Board with information regarding the Developer's Agreement for the York Town Center.

Fee Schedule

Mr. Holman explained amendments are necessary to the current fee schedule to bring it into compliance with current ordinances and resolutions. He stated various department directors have requested some changes as well.

**Consensus of the Board is to amend the fee schedule as discussed.**

Mr. Holman stated that a resolution incorporating the amendments would be placed on the agenda for the December 8, 2005 regular meeting of the Board of Supervisors.

York Town Center Developer's Agreement

Mr. Holman informed the Board that the developers of the York Town Center have requested that language in the Developer's Agreement regarding their contribution be amended to state that if sufficient funds are remaining from the IFIP funding to cover the developer's contribution amount, then this shall be credited toward their contribution.

**Consensus of the Board is that the agreement remain as drafted. The Board directed the Solicitor to provide this information to legal counsel for the York Town Center.**

Mr. Schenck adjourned the meeting at 8:30 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**NOVEMBER 16, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Wednesday, November 16, 2005 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  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Erika Belen, Community Development Coordinator  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Andrew Stern, Interim Fire Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:07 p.m. He apologized for the late start due to a budget presentation held at 6:30 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed Pastor William Flagler of Bethany United Methodist Church, 121 West Broadway Street, Red Lion.

**FLAGLER** Pastor Flagler, a resident of Windsor Township, thanked Springettsbury Township for the amenities, such as the park, provided for many people to enjoy. He prayed for the Board, the residents and the meeting.

**GURRERI** Mr. Gurreri led the Pledge of Allegiance and thanked Pastor Flagler for coming. He welcomed and thanked the residents for coming to the meeting. He wished everyone a Happy Thanksgiving Season.

**SCHENCK** Chairman Schenck stated that he was honored to see so many Boy Scouts in attendance. He noted specifically Scouts from Troop 20 and stated that they were working on their Citizenship in the Community badge. He indicated that the budget information is available to them for their Merit badge. The Cubs in attendance were working on the Citizenship badge as well. Chairman Schenck encouraged the Scouts to ask questions during the meeting.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session will be held immediately following the Regular meeting regarding a real estate matter.

**3. COMMUNICATION FROM CITIZENS**

**SCHENCK** Chairman Schenck opened the floor for citizen comments and asked that each speaker use the microphone and state their name and address for the record.

**PERELMAN** Mr. Michael Perelman, 33 South Kershaw Street, commented on the South Kershaw/Eastern Boulevard intersection matter. He stated that he was disappointed concerning the end result of the vote that had occurred during the Public Hearing. The residents simply want a commitment concerning the traffic calming in that area and they are disappointed with the result of the vote.

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, stated that he was disappointed with the Township's leaf collection program in the northeast quadrant. The newsletter stated November 7<sup>th</sup> was the leaf collection day. His leaves were out on the 6<sup>th</sup>. He had seen the collection truck drive by; however, none of the leaves on Trout Run Road had been collected to date, nor had any of his telephone calls to the Township been returned.

**SCHENCK** Chairman Schenck expressed an apology for the lack of response.

**HOLMAN** Mr. Holman responded that he had spoken with Mr. Stuhre. He requested Steve Anderson to investigate the area, and Mr. Holman will follow up personally.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided a few updates including the Eden Road Interceptor. They have been waiting for the Joint Permit to place the manhole in the wetlands. DEP has deemed it acceptable to post that permit in the Pennsylvania Register, and the Township will be able to get Doli back to complete the Interceptor project. On a similar note for the Barwood Road project, Mr. Schober met with DEP to review the alignments due to wetland impacts. During the meeting DEP suggested that a manhole be added in the wetlands in order to minimize the stream impact. Mr. Schober provided a hand out regarding the Meadowlands Pump Station showing the proposed line that will go from the pump station to the existing interceptor on Industrial Road. A review indicated sufficient elevation to the East York Pump Station. There will be roughly 3,300 feet of a 10-inch line, at a cost of approximately \$500,000. A recommendation will be submitted to Mr. Hodgkinson, and a decision will be needed from the Board.

**HOLMAN** Mr. Holman stated that getting through the engineering, the DEP permitting, stream crossings and everything else taken care of will move the Meadowlands project into 2007.

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

**LUCIANI** Mr. Luciani provided several updates, one of which concerned the Sheridan Road/Mundis Mills signal. It was put out for bid and bids will be accepted on the 30<sup>th</sup> of November. Some significant roadwork will take place to remove the middle island, and some of the traffic equipment that Mr. Lauer has in his stock pile at Public Works will be salvaged to reduce costs for that intersection.

**GURRERI** Mr. Gurreri asked whether the \$150,000 in the budget would be used for Sheridan Road.

**LUCIANI** Mr. Luciani responded that after November 30<sup>th</sup> when bids are accepted, more will be known about the financing. He stated that he had been advised that Norfolk Southern had signed off and sent the document to their attorney. In addition, negotiations are taking place with the York Town Center development; creating Concord Road and connecting that is now on a very tight timeline. Mr. Luciani had provided a cost estimate for the Board and he explained the method for deriving the figures at approximately \$1 million. Some of the items included were: Bon Ton work to the railroad track including mobilization, sidewalk and curb - \$400,000; adjustments to Sam's Club driveway; relocation of Met Ed utility box including some sidewalks; Norfolk Southern agreement for specific crossing gates – approximately \$300,000; work must be completed by 2006.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of November 16, 2005**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF NOVEMBER 16, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Award Bid to Draperies Plus to Install Board Room Draperies on Motorized Rods for a total cost of \$9,879.**

**HOLMAN** Mr. Holman stated that part of this purchase would help with the sound and light reduction program. This will help muffle the sound of traffic, as well as to cut the glare into the room. The cost is under what was anticipated in the budget and when the bid went out, a company in

Harrisburg came in with a good price. They have excellent references.  
The drapes will be motorized as opposed to heavy cords.

**MR. BISHOP MOVED TO AWARD THE BID FOR BOARD ROOM DRAPERIES TO DRAPERIES PLUS IN THE AMOUNT OF \$9,879. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Award Contract to Industrial Appraisal Company – Appraisal of Wastewater Treatment Facility and all Pump Stations**

**HOLMAN** Mr. Holman stated that this contract will provide an appraisal for insurance purposes for the sewer plant. He stated that Mr. Hodgkinson had searched for a good industrial appraiser, checked their references and recommended Industrial Appraisal Company as a professional services contract. He asked Mr. Hodgkinson which municipalities had utilized their services.

**HODGKINSON** Mr. Hodgkinson responded that their services had been used by Derry Township's Wastewater Treatment, City of Harrisburg, several school districts in York County, the County itself, Red Lion Municipal Authority, and a few industrial plants in York.

**HOLMAN** Mr. Holman added that the insurance company highly recommended them as well. He added that for \$1,200 a year, the Township could continue to update the appraisal.

**SCHENCK** Chairman Schenck asked whether the appraisal would include the whole plant and not just the pump station.

**HODGKINSON** Mr. Hodgkinson responded that it would include the whole pump station and all equipment.

**HOLMAN** Mr. Holman stated that it would be added to GASBE 34.

**DVORYAK** Mr. Dvoryak asked whether the insurance on the buildings was for replacement cost and whether there is the advantage of blanket coverage.

**HOLMAN** Mr. Holman responded that he was correct, and everything was handled through Penn Prime with the exception of environmental, workers compensation and health coverage. He noted that it may affect next year's rates slightly.

**BOWMAN** Mr. Bowman asked how long the project would take.

**HODGKINSON** Mr. Hodgkinson responded it would be concluded at the end of January.

**DVORYAK** Mr. Dvoryak commented that he agreed with the process. He cautioned on paying the additional annual renewal fee and stated that typically this type of appraisal service would establish value and each year apply a cost

index to that value. Mr. Dvoryak was not sure that paying the \$1,200 would make sense, as the Township could apply its own cost index information on building appreciation.

**HOLMAN** Mr. Holman responded that an attempt had been made last year to have an engineer provide a replacement cost estimate for the buildings. It had not been acceptable to any insurance company, as they wanted an industrial appraisal of the plant.

**BISHOP** Mr. Bishop noted that it had not been acceptable because an appraisal had not been done for a number of years.

**HOLMAN** Mr. Holman stated that he would check that fact with the insurance carriers as part of the renewal program.

**SCHENCK** Chairman Schenck stated that the \$1,200 could be withheld and not made part of the motion. That would reduce the not-to-exceed amount to \$17,040.

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD CONTRACT TO INDUSTRIAL APPRAISAL COMPANY, APPRAISAL OF WASTEWATER TREATMENT FACILITY AND ALL PUMP STATIONS FOR \$17,040. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Haines Road Median – NO BIDS RECEIVED**

**HOLMAN** Mr. Holman reported that no bids had been received for the Haines Road Median project. Because the size of the project is small, he proposed to include that with the Concord Road project as an alternative. Township funds will be used; not Concord Road funds, but as part of that big project it could be picked up as a small piece.

**GURRERI** Mr. Gurreri asked whether the work could be done in-house with the Public Works Department.

**HOLMAN** Mr. Holman responded that Mr. Lauer would not be able to do that at this time.

**LUCIANI** Mr. Luciani explained that the PennDOT contractor list had been researched for the first bid, by direct mail with a copy of the plan sent, but there was no interest.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were no items for action.

**8. COMMUNICATION FROM SUPERVISORS:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**NOVEMBER 16, 2005  
APPROVED**

- BOWMAN** Mr. Bowman commented on the guard rail in front of McDonald's that had been smashed with a cone sitting there for months. He asked whether that would be a state responsibility.
- HOLMAN** Mr. Holman responded that he and Mr. Luciani will visit the site and make a determination.
- LUCIANI** Mr. Luciani responded that it is a state road but that guard rail may have been warranted by the stream running across there. It could be McDonald's responsibility.
- GURRERI** Mr. Gurreri reported that he met a gentleman at the Halloween Parade, who asked about the Police Department writing tickets at the Elementary School when they had a May Fair or some activity. He was upset that they came by and a lot of people received tickets.
- BISHOP** Mr. Bishop commented regarding the Eastern Boulevard situation. He stated that it was unfortunate the way the matter had been handled earlier. It was his personal impression that the Board desired to implement improvements and he believed there was support for them. He was not sure whether the Board knows exactly what or when. He did not think that the message that the Board really intended to send was what Mr. Perelman took from this meeting. It's not an issue that's dead, even though the Board was forced into a vote on it. There are still some very good opportunities for that to be handled in a different way over the coming months to come to a successful completion of improvements.
- SCHENCK** Chairman Schenck agreed, and stated it was not his intention to say no to the project, just no to how to pay for it.
- GURRERI** Mr. Gurreri commented that the Board had been talking about it for two years.

**9. SOLICITOR'S REPORT:**

- RAUSCH** Solicitor Rausch reported a few items for the Board's action. One was the York Town Center Developer's Agreement. The Board had approved the plan for the York Town Center and granted a 90-day period to get the Developer's Agreement created. Since then the developer had requested an extension until February 9, 2006 due to on-going negotiations and waiting for the actual grant money to come through for that development. Solicitor Rausch indicated he was not opposed to the Board's consideration of that request. They had negotiated in good faith and a great deal of progress had been made, but extra time is needed to finalize that agreement. He requested a motion to extend the time limit for the Developer's Agreement for York Town Center until February 9, 2006.

**MR. BISHOP MOVED TO EXTEND THE TIME FRAME FOR APPROVAL OF THE DEVELOPER'S AGREEMENT FOR YORK TOWN CENTER UNTIL FEBRUARY 9, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**RAUSCH** Solicitor Rausch stated that a decision was needed concerning the IAFF grievance.

**SCHENCK** Chairman Schenck stated that the matter would be acted upon during Old Business.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that a document had been provided to the Board regarding the Springettsbury Township Holiday Tree Lighting, which was scheduled for Friday evening, November 18<sup>th</sup>, at 6 p.m. He reported that the Middle School Christmas Brass composed of 36 7<sup>th</sup> and 8<sup>th</sup> grade brass students will be playing traditional holiday music and the Raise Your Voice choir, approximately 20 students selected from the chorus at Central York Middle School, will sing. The program starts at 6 p.m. with the lighting of the tree at 7 p.m. This is fully funded through donations and sponsors.

**HOLMAN** Mr. Holman noted a few items for the Executive Session to discuss real estate and personnel matters.

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

**A. Resolution No. 05-68 – Designating Zoning Officer and Deputy Zoning Officers**

**MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 05-68 DESIGNATING ZONING OFFICER AND DEPUTY ZONING OFFICERS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-69 – Designating Building Official and Deputy Building Officials**

**MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 05-69 DESIGNATING THE BUILDING OFFICIAL AND DEPUTY BUILDING OFFICIALS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing (Signs) – October 13, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS MINUTES OF PUBLIC HEARING (SIGNS) OCTOBER 13, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Public Hearing (Minor Subdivisions) – October 13, 2005**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS MINUTES OF PUBLIC HEARING (MINOR SUBDIVISIONS) OCTOBER 13, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Trash Bag Tags – Replace Tags with Designated Bags**

**HOLMAN** Mr. Holman stated that the Township had been asked by Penn Waste for consideration, along with other municipalities, to use 32-gallon bags, which can be sold at the Township at the same price as the stickers.

**BISHOP** Mr. Bishop asked where the bags would be made available.

**HOLMAN** Mr. Holman responded that they could be purchased at Rutter's and at the Township.

**SCHENCK** Chairman Schenck asked whether the Recycling Committee had a chance to comment.

**HOLMAN** Mr. Holman responded that he did not think they had seen them, but that he would check and make sure they were made aware of the new bags.

**Consensus was agreement of the Board to move forward with the sale of the bags.**

**B. Administration and Police Parking Lot Signage**

**SCHENCK** Chairman Schenck indicated that the Board previously had approved the theory.

**HOLMAN** Mr. Holman reported that the Board wanted to be sure that language and signs would welcome people to the park, but to designate spots where parking is permitted. Staff is to park as far away from the doors as possible to provide the public with parking close to the entrance. The signs would reserve police parking and staff parking during work days with the exception of personnel who come in for weekend emergencies. Mr. Holman stated that they wanted to be sure that the Board approved the language of the signs. There are several material choices that he will review.

**BISHOP** Mr. Bishop noted that the Welcome to Springettsbury Township signs did not appear to be necessary as there are a number of Township signs currently in place.

**HOLMAN** Mr. Holman responded that putting them up at this time would not be necessary. The price would not be affected one way or another.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop. He noted that the original concept was confusing, but putting signs on the actual spaces would be

fine. He stated for clarity that the proposal for \$2,156.35 would not include the welcome sign but would include 18 signs on 18 parking spaces.

**HOLMAN** Mr. Holman noted as long as the Board approved, they would move forward with the signage and no motion was necessary.

**Consensus of the Board was agreement to proceed with the signage.**

**C. Tourist Oriented Directional Signing (TODS) – Carpet Mart and Jack Giambalvo Motor Company**

**SCHENCK** Chairman Schenck noted that the concept for the addition of the signs previously had been discussed. This covered the area where access to several businesses had been cut off due to the road construction. He asked whether the state approved the signs.

**LUCIANI** Mr. Luciani responded that they approved the designation.

**HOLMAN** Mr. Holman indicated that the Township needed to provide specifically what the name of the business park will be.

**LUCIANI** Mr. Luciani indicated that the request would be for Jack Giambalvo/Carpet Mart Business Park. Those are the only two businesses in that general area.

**Consensus of the Board was agreement on the wording for the signs.**

**D. IAFF Grievance**

**SCHENCK** Chairman Schenck noted that a local agency hearing had been held regarding a grievance filed by the professional firefighters regarding the use of part time firefighters. A draft had been written by Solicitor Rausch of the proposed response. The Board needed to decide on that response.

**RAUSCH** Solicitor Rausch stated that under the Local Agency Law the Board should render a decision to approve or deny the grievance.

**BISHOP** Mr. Bishop asked whether there would still be time available for drafting a final decision.

**RAUSCH** Solicitor Rausch responded that there are 30 days to finalize it.

**BISHOP** Mr. Bishop stated that there was no question in his mind about the decision; however, there was a small point of confusion on the actual draft that was prepared. He assumed the Board would discuss that in Executive Session.

**RAUSCH** Solicitor Rausch responded that it would be discussed at that time.

**MR. BISHOP MOVED WITH RESPECT TO THE STEP III GRIEVANCE BEFORE THE BOARD SITTING AS AN AGENCY HEARING, THAT THE GRIEVANCE BE DENIED SINCE THE PROVISIONS OF SECTION 6.5D7 OF THE CONTRACT, VIOLATION EXTENSIONS, WERE NOT MET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- STERN** Mr. Stern indicated he thought the firefighters needed a letter by November 17<sup>th</sup>.
- HOLMAN** Mr. Holman stated that the Solicitor would notify him and them by email and a letter tomorrow.
- SCHENCK** Chairman Schenck stated for clarity that it would notify them of the decision.
- BISHOP** Mr. Bishop added that it would not necessarily include all the findings of law.
- RAUSCH** Solicitor Rausch stated that the adjudication will follow.

**14. NEW BUSINESS:**

**A. Approval of Revised Job Description – Accounting Clerk**

**HOLMAN** Mr. Holman noted that when positions require replacements, the Job Descriptions are reviewed, updated and approved. The position had been advertised and resumes have been received. The new Job Description is based upon the previous one with some changes.

**MR. GURRERI MOVED TO APPROVE OF THE REVISED JOB DESCRIPTION FOR ACCOUNTING CLERK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:10 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 16, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, November 16, 2005 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  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
John Luciani, Civil Engineer, First Capital Engineering  
Dori Bowders, Manager of Administrative Operations  
Andy Hinkle, Manager of MIS  
Jack Hadge, Director of Finance  
Charles Rausch, Solicitor  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Work Session to order at 6:35 p.m. He stated that the purpose of the meeting was to present the proposed 2006 Budget to the public.

**HOLMAN** Mr. Holman thanked the Board, staff and everyone for all their time and effort in putting the budget together. Previous Work Sessions had been held on September 22, October 5, October 19, October 26, and November 9<sup>th</sup>. On November 9<sup>th</sup> the proposed budget was presented to and accepted by the Board and had been advertised. Mr. Holman provided a Power Point presentation to simplify the budget and provide an explanation of where the Township is in terms of the budget.

**2. POWER POINT PRESENTATION OF 2006 PROPOSED BUDGET:**

**HOLMAN** Mr. Holman presented the Springettsbury Township Proposed Budget 2006 dated November 16, 2005.

Total General Fund Appropriation:	\$10,670,000
Other Funds:	\$ 1,484,500
Sewer Fund:	<u>\$ 9,010,000</u>
Total Proposed Municipal Budget:	\$21,164,500

Mr. Holman reviewed the entire budget in detail. Mr. Holman stated that he would be happy to review the budget or answer any questions concerning the proposed budget. He added that it will be posted on the website and available in hard copy form. The initial budget was significantly higher. The Work Sessions

had been very helpful in bringing the budget to a level where the current tax rate could be maintained with no increase necessary.

**SCHENCK** Chairman Schenck asked for public comment or questions. There were none concerning the budget.

**UHLER** Mr. John Uhler, Kershaw Street, noted that the Eastern Boulevard traffic calming project was conspicuously absent in any of the budgetary allocations. He suggested that Springettsbury Township should do the right thing and include it in the proposal for the year 2006.

**HOLMAN** Mr. Holman responded that he had been directed during the last Board session to work with the Engineer and develop alternative funding for that project.

**GURRERI** Mr. Gurreri stated that the traffic calming project decision is one that must be made as to whether to proceed or not. He stated that the residents had been very patient and he felt they should be given a yes or no answer.

**HOLMAN** Mr. Holman responded that he is working on several funding options and will report back to the Board within the next month or two.

**DVORYAK** Mr. Dvoryak noted that prior to the budget being adopted, a decision would have to be made to include it in the budget.

**HOLMAN** Mr. Holman responded that \$525,000 in funding had been allocated for road improvements in the budget. Recommendations had been made by the Public Works Superintendent on what road improvements should be made. The Board determined to have a very aggressive road improvement program and will make the final decision as to how those funds will be allocated.

**BOWMAN** Mr. Bowman commented that he thought the residents had been given the impression that the Board would attempt to do something.

**GURRERI** Mr. Gurreri indicated that had been his impression as well and stated that the Board needed to make a decision one way or another.

**BISHOP** Mr. Bishop responded that the problem with making a decision in a public forum one way or another is that it may tie the Board's hands. The approach that the Manager is taking with the Township Engineers to try to find alternate sources for funding is appropriate, and if a decision were to be made to proceed in a different direction, it may preclude that alternate source being negotiated successfully. While it sounded nice to indicate the Board should decide one way or another, Mr. Bishop was not certain it was the most responsible approach to take.

**GURRERI** Mr. Gurreri disagreed and re-stated his position that a decision needed to be made as it was unfair to the residents.

**MR. GURRERI MOVED THAT THE BOARD INSTRUCT THE MANAGER TO PROCEED WITH THE CALMING THREE CIRCLES ON EASTERN BOULEVARD. MR. BOWMAN WAS SECOND.**

**DVORYAK** Mr. Dvoryak stated that he, personally, was in full support of implementing the measures on Eastern Boulevard; however, he thought that Mr. Bishop's approach made more sense from a strategic standpoint to see whether or not alternate funding sources would be available prior to committing Township funds for the project.

**BOWMAN** Mr. Bowman noted that he didn't think the emphasis was on committing the funds; rather just stating one way or another either through other funds or Township funds.

**HOLMAN** Mr. Holman noted that the list of other streets recommended by the Public Works Superintendent should be included as well. The list needed to be approved by the Board and then would go out to bid for the contracts for material and equipment needed to do the work.

**GURRERI** Mr. Gurreri stated that the reason he had made the motion was that it appeared as though the Board can't make a decision, so a motion was needed either it can be done or it can't. The experts had studied this for over two years and came up with this plan. The whole plan couldn't be done because it was too expensive, so it was cut down. All this would do is committing to do it and finding the funding.

**MESSRS. BISHOP, SCHENCK AND DVORYAK VOTED NO; MR. GURRERI AND MR. BOWMAN VOTED YES. MOTION FAILED 3/2.**

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:55 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 9, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, November 9, 2005 at 7:30 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Charles Lauer, Director of Public Works  
John Luciani, Township Engineer  
William Schell, CEO, Martin Library

The Board of Supervisors held budget work session number five on the above date and time. The purpose of the work session was to discuss "Other Funds" in the 2006 proposed budget.

Vice Chairman Bishop called the meeting to order at 7:30 a.m.

Library Fund

Mr. Holman introduced William Schell, CEO of Martin Library. Mr. Schell thanked the Board for their continuing support of the library services. He stated Springettsbury Township residents currently use Martin Library, Kreutz Creek and Bradley Academy. He noted that the residents have access to all thirteen libraries in York County. Mr. Schell shared the following information regarding library use by residents:

• Current free membership	6,059
• Visits to libraries	60,000
• Items borrowed	68,000
• Value of items borrowed	\$1,020,000
• Free internet uses	15,000
• Value of internet access	\$120,000
• Reference questions	6,000
• Summer reading club	300
• Springettsbury percentage of total use	15
• Springettsbury percentage of total budget	1.5

Mr. Holman pointed out that \$37,000 is budgeted in the 2006 proposed budget to support Martin Library, as well as \$3,000 as a result of interest income from the Library Fund.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 9, 2005  
APPROVED**

Mr. Bishop stated he would like to better promote the libraries for use by all of our residents.

Mr. Bowman suggested that could be accomplished through the Township newsletter.

Mr. Holman offered that a survey could be included in the newsletter.

The Board thanked Mr. Schell for his presentation.

Mr. Holman asked Mr. Lauer to review the proposed Other Funds budget with the Board.

Capital Improvement Fund

Mr. Holman stated the amount of road improvements that are completed each year largely depends upon how the prices come in from the contractors. Mr. Lauer's recommendations are based on the pricing information.

Mr. Dvoryak asked if the Township is keeping up with road improvements.

Mr. Lauer responded that right now, they are.

Mr. Dvoryak asked if there are any other road improvements that need to be addressed.

Mr. Luciani responded that the Township will eventually be responsible for the roads in the following developments: Kingswood, Greystone, Orchard Hills, Fieldstone Manor and the development off of Sheridan Road (S & A Homes).

Mr. Luciani stated that generally, roads should be overlaid every 10 years. He added that he is not aware of any roads in the Township that are beyond that point, other than Concord Road, and expressed that major rework of roads in the Concord Road area will be accomplished through the IFIP grant.

Mr. Bishop stated that he thinks the Township should be aggressive on road maintenance.

Mr. Gurreri acknowledged that Michael Perelman, 33 South Kershaw Street was in attendance and asked if he would be permitted to speak.

Mr. Perelman expressed that he and his neighbors would like the Board to pursue traffic calming in the area of Eastern Boulevard and South Kershaw Street. He feels reversing the traffic signs and providing traffic calming on Eastern Boulevard would be appropriate. He noted the most important thing is public safety. He stated there is confusion with motorists at the intersection of Eastern Boulevard and South Kershaw Street. Currently, they anticipate a stop sign at South Kershaw; however, the stop sign is on Eastern Boulevard. The stop sign should be on South Kershaw Street and not Eastern Boulevard.

Mr. Bishop asked if people park on Eastern Boulevard.

Mr. Perelman responded no; parking is very minimal.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**NOVEMBER 9, 2005  
APPROVED**

Mr. Bishop thanked Mr. Perelman and stated that the Township Manager and Engineer are in the process of reviewing the availability of alternative funding.

Commonwealth Liquid Fuels Fund

Mr. Holman stated he would like the Liquid Fuels Fund to reflect road repairs only, and suggested moving the Snow/Ice line item to the General Fund.

Mr. Bishop was in agreement.

Waste Reduction Fund

Mr. Lauer explained that the Waste Reduction Fund is the account where all of the recycling money comes from. He added that the Waste Reduction Fee is money we get back from the State.

Storm Water Fund

Mr. Lauer stated the fund is for the maintenance of storm basins. He added that the only basin they have spent money on is Penn Oaks.

Petitioned Street Light Fund

Mr. Holman mentioned that the Community Development Department has recently researched the resolution files to ensure that residents are being properly charged for use of street lights.

Development Authority

Mr. Holman explained that the Development Authority budget was not included in the 2006 budget proposal. He stated he is waiting for information from the State. He will prepare a separate budget for the Board in January/February, 2006.

2006 Proposed Budget

Mr. Holman recapped that the Board received copies of the 2006 proposed budget. He stated two more work sessions are scheduled: November 17 and November 30, 2005. The budget is scheduled for adoption at the December 8, 2005 regular meeting of the Board of Supervisors.

Mr. Bishop adjourned the meeting at 8:35 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 27, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 27, 2005 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  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Chief, Police Department  
Andrew Stern, Interim Fire Chief  
Teri Markley, Public Relations and grants  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m. He apologized for the late start due to an earlier grievance hearing.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**SCHENCK** Chairman Schenck stated that Mr. Gurreri would not be present during the meeting due to some other commitments.

**B. Loyalty Oath – Michael Dalpezzo, Fire Police Officer**

**SCHENCK** Chairman Schenck stated that the fire police are actually members of the Volunteer Fire Department. However, they serve often under the direction of the Police Chief. He introduced Michael Dalpezzo.

**ESHBACH** Chief Eshbach stated that Mr. Dalpezzo had retired from the Pennsylvania State Police after 25 years of service. He currently serves as a paid Paramedic in Lancaster Borough. He resides in Springettsbury Township, and the Township was very happy

that he volunteered to serve as a Special Fire Police Officer. Mr. Dalpezzo will add a lot of knowledge and experience to the position.

**SCHENCK** Chairman Schenck administered the Oath of Office to Mr. Dalpezzo. Chairman Schenck indicated the Solicitor Rausch suggested that the duties of the Fire Police be stated. In addition to working under the direction of the Police Chief, the primary function is that during different events in the Township, be it a traffic accident, a fire, a road closing, through stormy weather where help is needed to control traffic and crowds in the community.

**DALPEZZO** Mr. Dalpezzo responded that he had been working with the Fire Police as an instructor since 1985.

**SCHENCK** Chairman Schenck added that the hours are often in the middle of the night for several hours at a time, and they volunteer their time. He stated that the Township is very appreciative of their help.

**RAUSCH** Solicitor Rausch asked whether the Fire Police carry a gun.

**DALPEZZO** Mr. Dalpezzo responded that he does not carry a weapon during Fire Police service due to the regulations. However, he does have a permit to carry personal firearms. He added that they are working with the International Fire Services Accreditation and Congress to develop a certification program for Fire Police. They have had two pilot programs that they hope will bring some professionalism to the organization. The organization is growing older, and he is the youngest Fire Police officer in Springettsbury Township. He indicated that there is a need to do some recruiting retention.

**SCHENCK** Chairman Schenck thanked him for his comments.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there was a brief Executive Session to discuss a personnel matter and a real estate issue.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for citizen comments. He asked that speakers use the microphone and state their name and address for the record.

**WOODS** Mr. Bob Woods, 103 South Yale Street, stated that he is the Vice President of York Suburban Community that Cares Alliance. The Township had served as a vehicle to obtain some dollars through the Pennsylvania Commission on Crime and Delinquency which they greatly appreciated. He added that the involvement of Police Chief Eshbach on the Prevention Board Committee, as well as the community work in support of the

Communities that Care initiative, had been very much appreciated. Following is a synopsis of his explanation of Communities that Care:

- Risk factors that the community's children face are reviewed.
- It is an assessment process completed every two years;
- Third or fourth assessment was just completed of 6<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup>, and 12<sup>th</sup> graders within the district.
- Surveys tabulated by a national firm, comparisons made with other communities of similar demographics, as well as the state and national comparisons.
- There are several risk factor issues within York Suburban School District –
  1. Personal transitions in mobility (moving from school to school)
  2. Rewards children receive for anti-social behavior among their own peers.
  3. Poor academic achievement on behalf of some children.
- Prevention factors are reviewed to limit/minimize the risk factors:
  1. Cops in Schools Program, which provides for hiring two officers, who would serve in East York Elementary School and the York Middle School.
  2. School setting helps develop positive relationships with officers.
  3. Impacts peer approval.

**WOODS** Mr. Woods urged the Board's support to hire both officers. He realized the fourth year commitment; however, he hoped it would be reviewed carefully as it would have a tremendous impact on the children and will pay off in the future. He expressed thanks to the Board.

**SCHENCK** Chairman Schenck thanked him as well. He asked for any additional public comments. There were none.

#### **4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported that the contractor for the Eden Road Interceptor started to dig up the roadway. The contractor had requested to do some pipe bursting there in lieu of finishing all the digging. This may enable the contractor to complete the project more quickly with less disruption.

A number of meetings are scheduled with the homeowners with rights-of-way regarding the Barwood Road Sewer project. They will be shown where the lines will be placed. An additional meeting was scheduled with DEP to review the whole alignment with them as well which will expedite the permitting process. Some preliminary design and estimating work was started for the pistol range. Some landscaping will be done, the berm raised to create a higher back stop for the firing, along with some fencing and cover for them.

**SCHENCK** Chairman Schenck asked about the communication situation with the pump station. He was aware the York Water Company had similar problems and they came up with a solution.

**SCHOBER** Mr. Schober responded that the last report indicated that they had discussed it with the telephone company and the problem was corrected.

**SCHENCK** Chairman Schenck indicated that the York Water Company does not use telephone lines any more.

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

**LUCIANI** Mr. Luciani provided an update to his written report. With regard to the Stone Ridge Road vacating issue, some deed research was done, which revealed that the resident actually does own the small parcel of property. The old right-of-way for Stone Ridge Road was not 50 feet as indicated on the plan, but only 33 feet. Therefore, her garage was outside the right-of-way. The developer, Mr. Pasch, will need to address those issues before the Stone Ridge Road abandonment issue can move forward. The Solicitor and Mr. Luciani both agree that the issue should be tabled until Mr. Pasch's engineer resolves the property lines. Regarding the Greystone Basin, fees are coming from the developer. Mr. Holman and he did a site visit. There is a need to do some landscaping to fix some minor erosion problems before the township accepts full title to that basin. This basin is one for which the Board took a "fee in lieu of" instead of establishing a home owner's association, and in this case the Township will need to begin mowing that basin.

Mr. Luciani reported on Sheridan Road and indicated that Mr. Holman had scheduled a meeting with the residents to discuss the right-of-way taking, and unfortunately, there were no residents or responses to that meeting. A meeting had been scheduled with State Representative Gillespie for further discussion. A sketch plan was presented to the Planning Commission for the Rutter's Farm Store project at the intersection of Industrial Highway and North Hills Road. Mr. Luciani reported that, while it was not typical to present sketch plans to the Board of Supervisors, rather than have Rutter's do unnecessary civil engineering work and PennDOT, a request was made by staff to see if the Board would be interested in reviewing the sketch plan to discuss regional traffic implications. If not, Rutter's will need to go through the normal process. Otherwise there will be a few issues outstanding for review.

**BISHOP** Mr. Bishop asked Mr. Luciani to review the big issues, one of which was the road underneath Interstate 83.

**LUCIANI** Mr. Luciani reviewed the issues, summarized below:

- Township right-of-way extends underneath Interstate 83 for future connection.
- Roads ending in cul-de-sacs, required or waived.
- Landscaping issues to be required or waived.
- PennDOT plan has a ramp coming off 83 southbound underneath the bridge. That ramp and Rutter's road cannot be the same and must be a local Township road tie-in.

**SCHENCK** Chairman Schenck asked Solicitor Rausch whether the Board could provide a firm waiver of a requirement without having a Land Development Plan. He thought they could give an indication one way or the other.

**RAUSCH** Solicitor Rausch responded that the Board has the power to determine the scope of modifications and waivers. He suggested getting all those items cleared up, take motions and place them on the plan.

**BISHOP** Mr. Bishop stated that the development made a lot of sense to him personally. However, there are a lot of issues to determine before insisting that Rutter's do extra work if the Board was not ready make the kind of agreements for it to be feasible. He added that it was an odd situation and an odd parcel. Mr. Bishop indicated he would be in favor of spending the time for review for a greater understanding of the issues.

**Consensus of the Board was agreement to proceed with a review of the complications of the plan.**

**LUCIANI** Mr. Luciani added that the staff will put together a list of the main issues with the staff recommendations.

**4. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of October 27, 2005**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED FOR OCTOBER 27, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**6. BIDS, PROPOSALS AND CONTRACTS**

**A. Authorization to Advertise for Bid: Liquid Chlorine Contract**

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENTS FOR BIDS FOR LIQUID CHLORINE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. Amendment to LD-01-11 – Dr. Harold Neibert (Action)**

**BELEN** Ms. Belen provided background information as documented in an October 20, 2005 memorandum. The applicant is revising a previously approved land development plan and proposes to install a new parking area. The revised plan was originally submitted in 2003 when the applicant appeared before the Planning Commission in April. Since that time, most outstanding items had been resolved, and the applicant requested a waiver of SALDO §307r showing all existing streets on, adjacent to, or within 400 feet of any part of the tract. The Planning Commission recommended approval of the plan with the

condition of a financial security approved by the Township Engineer. Staff concurred with those recommendations. Ms. Belen provided a PowerPoint projection of the plan.

**SCHENCK** Chairman Schenck noted that the plan called for additional impervious. He asked whether the storm water could be managed on site.

**BELEN** Ms. Belen responded that it could; she provided a view of the area where the parking lot would be constructed.

**SCHENCK** Chairman Schenck asked why the need for the additional parking.

**NEIBERT** Dr. Harold Neibert, property owner, responded that they had as many as 100 cars parked during one evening at the dance studio.

**SCHENCK** Chairman Schenck asked whether there was an official connector road from the rear of that property to Eastern Boulevard.

**NEIBERT** Dr. Neibert responded that there is a paved drive through there.

**BISHOP** Mr. Bishop asked whether there would be any consequences. He asked whether the Board would be approving the plan or the amendments to the plan; or re-approving the plan.

**BELEN** Ms. Belen responded that the approval would relate only to the amendments to the plan. The original plan had been approved previously, and it would apply only to the parking area.

**BISHOP** Mr. Bishop asked whether Solicitor Rausch concurred with that approach.

**RAUSCH** Solicitor Rausch concurred.

**MR. BOWMAN MOVED WITH REFERENCE TO DR. NEIBERT'S AMENDED PLAN**

- **TO GRANT A WAIVER §307r SHOWING ALL EXISTING STREETS ON, ADJACENT TO, OR WITHIN 400 FEET OF ANY PART OF THE TRACT INCLUDING NAME, RIGHT-OF-WAY WIDTH AND CARTWAY WIDTH.**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**
  - **PROVIDING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW OF 10 PERCENT OF THE FINANCIAL SECURITY.**

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

**8. COMMUNICATION FROM SUPERVISORS**

**SCHENCK** Chairman Schenck asked what process the Board wanted to consider based on the hearing held earlier.

**BISHOP** Mr. Bishop suggested to review the matter during Executive Session.

**HOLMAN** Mr. Holman noted that he sent information concerning the personnel issue by email.

**Consensus was to discuss the matter during the Executive Session to follow the Board meeting.**

**9. SOLICITOR'S REPORT:**

**SOLICITOR** Solicitor Rausch stated he had nothing to add to his written report.

**SCHENCK** Chairman Schenck noted an item in Solicitor Rausch's written report suggesting a Resolution to re-state prior approval for a liquor license transfer.

**RAUSCH** Solicitor Rausch stated the purpose of the Resolution related to the delay in actually making the application for the license. The Board previously had approved the transfer of the liquor license to El Serrano, but because of the delay, the LCB assigned a new number to the license. The older Resolution had a different number on it, and the LCB would like the Board to acknowledge the new license number.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NUMBER 05-67. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that he provided a copy of the memo he received from the survey technician with regard to the property along Stone Ridge Road.

**SCHENCK** Chairman Schenck reported that he found the revised Volunteer Fire Company budget document. He provided the document to Mr. Holman for Mr. Stern.

**STERN** Mr. Stern acknowledged he had received the report.

**BISHOP** Mr. Bishop noted that the Manager's Report had included a note about the awareness of participation in the County Health Plan Task Force discussion. He cautioned the Township to watch the project carefully as it needed a lot of work going forward. In Mr. Bishop's opinion there were several misunderstandings concerning the Township's involvement with respect to the sewer and Act 537.

**HOLMAN** Mr. Holman added that another County program had been initiated, along with the By-Ways program and both will need to be reviewed.

**BISHOP** Mr. Bishop added that he was not indicating that there wasn't anything good in that County Health Plan. It seemed extremely far reaching with a formula indicating it won't cost a penny due to a number of grants. Mr. Bishop noted that he had a number of questions but there was no opportunity to ask.

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

**A. Ordinance No. 05-09 – Vacating Portion of Stone Ridge Road**

**HOLMAN** Mr. Holman stated that the item would be tabled for any action due to the fact that the matter had not been completely cleared. He added that this will be the end of that particular Ordinance as it will go beyond its 60-day time frame before the next meeting. It will need to be re-advertised for adoption, and all the residents will be notified.

**SCHENCK** Chairman Schenck asked whether it will be necessary to hold another public hearing.

**RAUSCH** Solicitor Rausch responded that the problem is that the Ordinance will be changed and a public hearing should be held.

**SCHENCK** Chairman Schenck added that the 15-minute required public hearings are somewhat of a nuisance; however, this particular matter proved their effectiveness.

**HOLMAN** Mr. Holman added that it had made the Board aware of a problem that was not picked up in the site plan survey.

**8. Ordinance No. 05-13 – Providing for the Licensing and Regulation of Parades and Public Assemblies**

**RAUSCH** Solicitor Rausch stated that this is part of an overall settlement of the ACLU lawsuit. This is the Ordinance that was to provide the number of people that are needed or required for a permit to close a road. Adopting this Ordinance will be in compliance with the Court's consent.

**MR. DVORYAK MOVED TO ADOPT ORDINANCE 05-13 PROVIDING FOR THE LICENSING AND REGULATION OF PARADES AND PUBLIC ASSEMBLIES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop stated that the Board had been chastised by one of the newspapers for wasting money in creating this Ordinance. The process, forced upon the Township by the courts, and the money that was spent to go through the process was, in his opinion, well spent. The Board had a desire to have a specific kind of regulation in this Township and it was challenged; however, a better law is now in place that will stand up to future challenges. He indicated that it was prudent, responsible and absolutely correct.

**C. Collective Bargaining Agreement between Springettsbury Township and Springettsbury Township Police Officers' Association**

**HOLMAN** Mr. Holman stated that he appreciated the patience of the Police Officers' bargaining unit with regards to the new contract. He reported that there was a very professional negotiation, and both the Township and the Police Officers will benefit over the four-

year contract. Mr. Holman indicated he was especially appreciative of the bargaining unit working with the Township in bringing it to conclusion without the need of arbitration.

**SCHENCK** Chairman Schenck indicated he knew it was a lot of work and stated the Board's appreciation for Mr. Holman's efforts.

**MR. BOWMAN MOVED TO APPROVE THE COLLECTIVE BARGAINING UNIT BETWEEN SPRINGETTSBURY TOWNSHIP AND SPRINGETTSBURY TOWNSHIP POLICE OFFICERS' ASSOCIATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Work Session (Streets) – September 14, 2005**
- B. Board of Supervisors Work Session (Budget #1) – September 22, 2005**
- C. Board of Supervisors Public Hearing (Stone Ridge Road) – September 22, 2005**
- D. Board of Supervisors Regular meeting – September 22, 2005**
- E. Board of Supervisors Work Session (Budget #3) – October 19, 2005**

**MR. BISHOP MOVED TO APPROVE MINUTES LISTED IN ITEMS A THROUGH E ON OUR AGENDA WITH ACCLAMATION TO THE STENOGRAPHER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

- A. Acknowledge Receipt of September 30, 2005 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Donate Used Police Vehicles to Departments Affected by Hurricane Katrina**

**SCHENCK** Chairman Schenck stated that Chief Eshbach submitted a request that, rather than try to sell two of the old police cars, that they could be recycled to the hurricane area. Through selling those vehicles, they usually only produce \$1,000 or less.

**ESHBACH** Chief Eshbach responded that one of the vehicles would not make the trip because the car used oil. However, it could be transported on a truck to the hurricane area.

**SCHENCK** Chairman Schenck asked who would pay for that transport.

**ESHBACH** Chief Eshbach responded that New Freedom Borough had connected with a trucking company that would provide the transport gratis. They had transported several vehicles as well as used back hoes, etc. to the public works departments. Chief Eshbach indicated that if the Board approved the request, he would contact the police department and make the arrangements. All the title work would be done there.

**SCHENCK** Chairman Schenck asked whether the vehicles are ready to go.

**ESHBACH** Chief Eshbach responded that the only thing needed is to remove the Springettsbury Township lettering.

**BOWMAN** Mr. Bowman asked whether all the equipment, light bars, etc. would be included.

**ESHBACH** Chief Eshbach responded when new cars are purchased, new light bars are purchased as well. Some of the older light bars are about 15 years old. He would keep the older light bars with those donated vehicles.

**SCHENCK** Chairman Schenck asked for any additional comments.

**HOLMAN** Mr. Holman stated that he thought it would be a help to the residents of the south. He was glad Chief Eshbach brought it to his attention. Normally an auction is held; however, they may not hold an auction this year without the used vehicles. It would be a donation to people in need, and the Board has always helped people in need.

**MR. BISHOP MOVED TO AUTHORIZE THE POLICE DEPARTMENT TO DONATE USED POLICE VEHICLES TO AREAS AFFECTED BY HURRICANE KATRINA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:10 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
BUDGET WORK SESSION**

**OCTOBER 26, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 26, 2005 at 6:00 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  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Andrew Stern, Interim Fire Chief  
Jim Baugh, Director of Community Development  
David Wendel, Director of Parks and Recreation  
Jack Hadge, Director of Finance  
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 obtain a strategic view of how each department will move forward into the future. The Work Session included the following budgets:

- Fire/EMT
- Community Development
- Recreation
- Finance
- Administration

**A. Fire/EMT – Andrew Stern**

**STERN** Mr. Stern indicated that the biggest strategic emphasis is the merger study with Spring Garden Township. A Joint Operating Agreement was created to define the details of the merger with a goal to have matters concerning the merger completed by year end 2006; the process completed by June 2006. One strategic matter is financial planning for upgrade of fire houses, aging fire engines and apparatus. A significant issue is the importance of the volunteers, along with their ownership holdings. A draft budget of \$260,000 had been created, \$140,000 would come from the Township, \$70,000 to be used for operations and \$70,000 for capital items. However, the projected income did not appear to be sufficient to cover the future expenses. A separate Volunteer Relief Fund exists with a significant balance of \$150,000. As a 501C corporation, Federal filing requirements provide a financial trail, which Mr. Dvoryak volunteered to review. A general review of

Fire Department expenses indicated the budget included wages for labor, administrative supplies, uniforms. The budget was not significantly higher or different from previous budgets. Both Springettsbury and Spring Garden are participating in joint training exercises.

**B. Community Development – James Baugh**

**BAUGH** Mr. Baugh stated that just prior to his arrival, the sewer moratorium ended. As a result there was an explosion of building, which required more employee assistance. The use of third party/contract services had been very beneficial. The total department personnel included one part-time and five full-time employees. At the present time the department had processed approximately 1,100 permits during 2004 and 2005. The goal is to provide land development plan submissions to the Board with no major outstanding matters. Mr. Baugh projected that in two to three years there will be more of an emphasis on code enforcement, at which time there may be a need for additional employees. Future developments using contract services will be for the prison, Stonybrook Elementary School, the 911 Center, the Methadone Clinic, along with York Town Center. The use of those contract services will be paid for by the permit fees. A review of all permit fees and permits is being completed at the present time. The establishment of a Redevelopment Authority will be a useful tool to keep the Township moving forward.

**C. Recreation – David Wendel**

**WENDEL** Mr. Wendel reported a high level of participation and a very successful year. For the community based programs, there were over 2,200 participants. The programs included youth, seniors, adult enrichment, fitness and aerobics, along with special events. The summer concert series continued to grow with an estimate of 20,000 attendees, and Saturday-in-the-Park event reached even more citizens with outstanding results. Classroom-oriented programs are conducted in the farm house; however, rental leasing is a large concern with the expansion of programs such as fitness and aerobics. A gymnasium area is needed. Rental of facilities at North Hills, Commonwealth, Springetts, York Suburban, Central High School cost approximately \$38,000. Discussions had been held with Mr. Brassler at the Butterfly/Caterpillar tract, which could meet the need, but is pending other transactions at that facility. The successful relationship with Susquehanna Broadcasting had raised over \$100,000; however, that may no longer be available due to the sale of the company. Other similar relationships are being cultivated. Park land encompasses 158 acres; however, the northwest quadrant of the Township is somewhat under served. The Comp Plan will help to identify specific needs in terms of population growth and census data. Facilities that meet the needs of the community, whether it is walking paths, tennis and basketball courts, dog park or a skateboard park will be developed. A partnership with KSK and YSM will enable those plans to be solidified. Funds of approximately \$240,000 are available in the Subdivision Recreation. The Concessionaire Policy

generated approximately \$10,000. Consideration is being given to charging a fee for the summer playground program, which previously had been a free program. There had been no difficulty in hiring excellent workers for the summer program. Long term maintenance for the park facilities continues to be a matter of focus.

**D. Finance – Jack Hadge**

**HADGE** Mr. Hadge provided a historical review of the departmental progress over a five-year period. An Investment Policy and a Finance Manual were created. Checks are processed in an orderly fashion, and liens for unpaid sewer bills are filed quarterly. There are few material audit findings, and the department had been better organized. A current staff vacancy for an accounting clerk had created additional work load for the other department employees. The position had been budgeted, and the job description is currently being reviewed. Hiring of this individual will be critical to the continued efficiency of the Finance Department. Mr. Hadge reported that the GASB 34 work will be completed in one more year.

**E. Administration – John Holman**

**HOLMAN** Mr. Holman reported the Township revenues do not present a problem due to the control of expenditures. Escrow accounts had been set up for legal and professional fees, and Mr. Hadge, Mr. Baugh and the auditor had worked to create and monitor the 16 different escrow accounts, which will provide for more accountability. With regard to the GASB work, an industrial appraisal will be completed for the sewer plant for the insurance company. Mr. Holman did not expect a significant change in any of the insurances. The Police and Fire Pension requirements are being met; records are being kept, and Tom Zimmerman of Conrad Siegel is reviewing those records. The auditor is pleased with them. Risk Management will become one of the major Township issues. Mr. Holman stated that the new purchase order system had proven to be very cost effective and had expedited the purchasing system.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck reminded the Board that additional budget meetings had been scheduled for November 9<sup>th</sup> and 16<sup>th</sup> when the Budget will be presented for advertisement. He adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 19, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 19, 2005 at 7:30 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

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

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
David Eshbach, Police Chief  
Scott Laird, Police Lieutenant  
Charles Lauer, Director of Public Works

The Board of Supervisors held budget work session number three on the above date and time. The purpose of the work session was to discuss the 2006 proposed budget.

Police Department

Mr. Holman asked Chief Eshbach to review the proposed Police Department budget with the Board.

Chief Eshbach highlighted the following:

- Salaries for sworn personnel – police contract is not yet settled
- Request to hire four additional police officers
- COPS In School Grant – request for two officers
- Request for four additional police vehicles
- Request for one motorcycle

Mr. Holman stated he has met with Dr. Estep, Superintendent of Central School District, however, still needs to meet with Dr. Hartman, Superintendent of York Suburban School District, to discuss the COPS In School Grant.

The Board authorized Mr. Holman to execute the grant document as is. Chairman Schenck stated that prior to completion of the 2006 budget meetings, the Board will give Mr. Holman direction on the number of officers that will be authorized for hire under the grant.

Mr. Holman asked Chief Eshbach if he had discussed the police fleet maintenance with Mr. Lauer as previously requested. Chief Eshbach answered that he had not. Mr. Holman asked Mr. Lauer if he had any information regarding the replacement of police vehicles. Mr. Lauer responded that the police department had just received two new police vehicles that were approved in the 2005 budget. Mr. Holman again directed Chief Eshbach to meet with Mr. Lauer to discuss fleet maintenance.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 19, 2005  
APPROVED**

Mr. Gurreri stated Michael Perelman, 33 South Kershaw Street, was in attendance to possibly discuss traffic improvements for Eastern Boulevard/South Kershaw Street.

Mr. Perelman asked if the Board had planned to discuss any budget issues related to traffic improvements at today's meeting.

Chairman Schenck stated that today's meeting was to discuss the police department budget, however, the Capital budget items could possibly be discussed at the November 9, 2005, 7:30 a.m. budget work session.

Chairman Schenck adjourned the meeting at 9:00 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 13, 2005 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  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
David Wendel, Director of Parks and Recreation  
Dave Eshbach, Chief, Police Department  
Andrew Stern, Interim Fire Chief  
Teri Markley, Public Relations and Grants  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:00 p.m.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri introduced Reverend William Flager from Eastside Church.

**FLAGER** Reverend Flager offered prayer for the leaders and community. Reverend Flager stated that the leaders, including the police department, have an enormous task with many challenges, and he thanked them for their service.

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

**B. Recognition of Volunteers – Saturday in the Park, October 1, 2005**

**SCHENCK** Chairman Schenck introduced David Wendel and Teri Markley for a recognition ceremony of all the volunteers who made Saturday In The Park possible.

**WENDEL** Mr. Wendel stated that they wanted to recognize all the volunteers who had contributed their time and efforts to Saturday In The Park, Springettsbury Township's annual community day event. He stated that the event would be impossible without the help of the volunteers. He thanked each of them and looked forward to working with them in 2006.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

**MARKLEY** Ms. Markley echoed Mr. Wendel's comments. She added she was honored to be a part of the event.

**SCHENCK** Chairman Schenck thanked several Board members, including Don Bishop, who had done a lot of work on this project. He indicated the Township was really grateful, and Chairman Schenck stated he was very proud of the community and the volunteer spirit. He presented certificates to: Mary Bernheisel, Dori Bowders, Audie Eckert, Don Eckert, Gary Foller, Salley Foller, Del Huber, Pat Kessler, Phil Kessler, Joann Snyder, and Betty Speicher.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that the Board held an Executive Session following the last Budget Meeting on October 5, 2005 regarding a personnel matter. A brief Executive Session will be held following the meeting this date to discuss a real estate matter and a personnel matter.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for citizen comments. He asked each speaker to use the microphone and state their name and address for the record.

**Traffic Signal, Pleasant Valley Road**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, asked whether there was any information available concerning his request for a left-turn control on Pleasant Valley Road eastbound to be concurrent with the westbound turn.

**HOLMAN** Mr. Holman responded that the traffic signal will be tied in to the York Town Center development.

**LUCIANI** Mr. Luciani indicated that there had been cost estimates during the Bradley development. At that time signal cost was estimated in the \$500,000 to \$800,000 range for not only the left-turn going south on Mt. Zion, but also left turn on Mt. Zion left turn into Pleasant Valley.

**STUHRE** Mr. Stuhre noted that traffic is already stacked to make the left turn northbound on Mt. Zion. All that is necessary is to allow both lanes to make the left turns; just add the arrow.

**LUCIANI** Mr. Luciani stated that the signal is a failing level of service.

**STUHRE** Mr. Stuhre suggested just doing a little bit now and doing the rest later.

**LUCIANI** Mr. Luciani responded that it was a possibility. He offered to provide that section of the traffic study. It would be best to fix more than one movement.

**STUHRE** Mr. Stuhre agreed that the entire signal needed upgrading, but again asked for the addition of one left turn signal for a lot of improvement in a short period of time.

**LUCIANI** Mr. Luciani responded that it might be a possibility. The York Town Center had studied the signalization of the corridor and there is a pretty extensive traffic improvement plan that goes along with that project including a special redevelopment that the board had set up, and it will be tied into that.

**Glades Auction Cleanup**

**STUHRE** Mr. Stuhre commented on the appearance of Glades Auction. He stated that new ownership has not cared for the property. He cited several items and indicated the place looked like a junk yard. He stated it was a non-conforming use and thought the owner should be made to keep it in better condition.

**BAUGH** Mr. Baugh stated that, based on the previous complaint, he had sent someone to visit the property. They reported that it hadn't looked that much different than it had previously. He offered to go back and check again.

**Cable Service**

**STUHRE** Mr. Stuhre indicated his understanding was that the Township has a contract with the local cable company for service. They do not have cable service on Trout Run Road, and there are a number of residents who would like to have cable access, not necessarily for the television, but for broadband. He asked what it would take to have that included in the contract and have a cable run.

**HOLMAN** Mr. Holman responded that previously he had heard the request. He met with the cable company. Under the cable contract, as it reads now, the residents would have to pay for the cable to run back along Trout Run Road. He explained the difficulty, which rests with the distance the homes are from the main line.

**STUHRE** Mr. Stuhre wondered whether something could be changed when the contract renewed.

**HOLMAN** Mr. Holman indicated that the contract is a 15-year contract with approximately 12 years remaining.

**BISHOP** Mr. Bishop asked about the cost.

**HOLMAN** Mr. Holman responded that he had the cost estimates and could provide them at a later time. He recalled that one resident had explored that with the cable company. He indicated he would be happy to meet with the cable company representative.

**STUHRE** Mr. Stuhre commented that if the Township had a contract with the cable company to supply service to the Township, then it should be for the whole Township.

**HOLMAN** Mr. Holman indicated that the distance from the main line is spelled out in the contract.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

**STUHRE** Mr. Stuhre responded that he did not think the residents would be adverse to paying for the service coming from the poles into their homes; the problem is getting the trunk line down Trout Run Road.

**HOLMAN** Mr. Holman stated that he would schedule a meeting with the representatives.

**BISHOP** Mr. Bishop asked Mr. Holman whether it would be feasible under the contract if 20 residents wanted to split the cost.

**HOLMAN** Mr. Holman responded he did not think the cable company would have any problem with it.

**Fire Dishes**

**BALENT** Mrs. Sylvia Balent of 3834 Silver Spur Drive stated that she had spoken with Mr. Schenck with regard to her request for an ordinance covering fire dishes. She was present to reinforce that important issue of having fire dishes and chimineas banned. In addition she had spoken with the Fire Marshall, who agreed with her that it would be up to the Township to approve an ordinance. She reiterated her complaint about her neighbor who has a fire dish on the grass.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided several updates to his written report. Eden Road Interceptor: The contractor has completed construction through James Meadow towards the pump station. Work is being done on some of the construction entrances to get over to the railroad crossing, to Ridge View Road toward Tulip Tree Lane. They will then wait for the joint permit. DEP had responded that everything had been received for the permit application and is considered administratively complete. They have 130 days to review. Barwood Road Sewer: A meeting will be held with the several residents that have rights-of-way through the backyards.

**HOLMAN** Mr. Holman reported that the meeting is planned for November 9<sup>th</sup> at 6:30 p.m.

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

**LUCIANI** Mr. Luciani indicated he had one correction and one quick update. He had referred in his report to Stone Bridge, and it actually referred to Stone Ridge Road abandonment. In addition, York County Planning Commission held a meeting to discuss a Pennsylvania By-Way. He will provide information to Mr. Holman to distribute in the Board packets for the next meeting. He provided a brief overview of what was discussed. In both Lancaster and Adams County and many of the communities west of Lincoln Highway had been designated a Pennsylvania By-way with unique archeological historic scenic items, etc. Personnel from York County Planning Commission attended a seminar on By-Ways. What that means to the County and possibly Springettsbury Township and all the other

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

Townships is the receipt of unique funding, safety improvements, bikeway funding, etc. to this By-Ways program. The Board will be asked to give blanket resolutions to reduce legal fees by adoption. There will be three things to do: (1) decide if the Township wanted to make Lincoln Highway an official PennDOT By-Way, which would appear on maps and enforcement type things, (2) pass a resolution in support of the By-Way; and pass a No Billboard Ordinance along the By-Way, and (3) gather some letters of support from businesses, community leaders and state reps, etc. If the Board decided they wanted to adopt a section, Mr. Luciani offered to provide the information. It would include all those adjoining Lincoln Highway starting in Hallam, Springettsbury, York City, Spring Garden, etc. He stated that it had been a good presentation by the Planning Commission.

**SCHENCK** Chairman Schenck asked whether he or Solicitor Rausch will comment on the Stone Ridge Road abandonment issue.

**LUCIANI** Mr. Luciani responded that there had been informal discussions during staff meeting but he did not believe it had been resolved.

**GURRERI** Mr. Gurreri asked about whether Mr. Luciani could provide any costs for Eastern Boulevard islands and circles.

**LUCIANI** Mr. Luciani responded that he has the numbers and would email them. They had discussed the improvements with the developer in the vicinity of Eastern Boulevard and he will provide the information to the Board.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of October 13, 2005**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF OCTOBER 13, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Bid Award – Pollu-Tech, Inc. for Dry Polymer at a cost of \$1.70 per pound**

**MR. GURRERI MOVED TO APPROVE THE BID AWARD TO POLLU-TECH, INC. FOR DRY POLYMER AT A COST OF \$1.70 PER POUND. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Bid Award – Polydyne, Inc. for Emulsion Polymer at a cost of \$0.91 per pound**

**MR. DVORYAK MOVED TO APPROVE POLYDYNE FOR THE EMULSION POLYMER AWARD AT A COST OF \$0.91 PER POUND. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Re-Advertise for Bids – Haines Road Median**

**SCHENCK** Chairman Schenck asked whether this bid was for next season.

**LUCIANI** Mr. Luciani responded that contractors are all very busy. They wanted to get that bid in before Walgreen's opened up. That was the deadline in the initial proposal, which would enable time to mobilize equipment, get prices together and the Township will get a much more competitive bid.

**MR. GURRERI MOVED TO AUTHORIZE THE RE-ADVERTISEMENT FOR BIDS FOR THE HAINES ROAD MEDIAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise for Bids – Installation of Traverse Draperies in Board Room of Municipal Building**

**HOLMAN** Mr. Holman stated that the draperies would not only reduce sun glare but also help reduce sound coming in from Mt. Zion Road. They had attempted to bring the bids in under the limit for the last four months but were unsuccessful. The bids are within \$700.00.

**BOWMAN** Mr. Bowman noted that there is a limited time of exposure.

**HOLMAN** Mr. Holman responded that the draperies will cut the sun glare out for people sitting in the audience and will benefit the heating and air conditioning as well. It is a first step to improve the acoustics in this room. Mr. Holman added that next year the exposure time will be longer due to extended Daylight Saving time.

**DVORYAK** Mr. Dvoryak asked how much of a premium is being charged for the electronic system.

**HOLMAN** Mr. Holman responded that the draperies could not be manually operated. There will be three different curtains, one for the middle and one for each of the ends.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR INSTALLATION OF TRAVERSE DRAPERIES IN BOARD ROOM OF MUNICIPAL BUILDING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Re-Advertise for Sale of Real Property: North Sherman Street/Mac Avenue**

**SCHENCK** Chairman Schenck asked whether any of the conditions had been changed.

**HOLMAN** Mr. Holman responded that nothing had changed; the previous minimum acceptable bid was \$48,000. The question for the board was whether to accept bids or decide whether or not to award them regardless.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

- SCHENCK** Chairman Schenck stated for clarification that he meant to remove the minimum bid requirement.
- HOLMAN** Mr. Holman responded that he was correct; there had been no bids at all during the last bidding period.
- GURRERI** Mr. Gurreri noted the high cost of advertising.
- BISHOP** Mr. Bishop asked whether there would be any harm in keeping the property, as it was because someone wanted to buy it that the Board set out to sell it.
- HOLMAN** Mr. Holman commented that he had discussed the matter with Solicitor Rausch, and it would be necessary to go out one more time for bids. At that point the Board could decide to negotiate a sale and accept or not accept the price.
- BISHOP** Mr. Bishop asked whether it cost the Township anything to keep the property. It could just sit for a while until the land becomes more valuable.
- HOLMAN** Mr. Holman responded that it would be just the cost for cutting grass.
- GURRERI** Mr. Gurreri commented that he was sure Public Works would like to sell it, but it probably wouldn't hurt to re-bid.
- HOLMAN** Mr. Holman agreed. He noted that if more bids are solicited and any are acceptable, that will open some additional options.
- DVORYAK** Mr. Dvoryak noted that if the property is advertised a second time, it would provide for more flexibility to potential buyers through the Township.
- RAUSCH** Solicitor Rausch stated that the code isn't entirely clear but he was comfortable if the property goes out to bid a second time and no bids are received, it does provide the opportunity to negotiate a private sale. He did not think the price could stray too far from the appraised value unless there would be an updated appraisal that would justify other prices.

**Consensus of the Board was agreement to do nothing at this time.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-05-10 – Center Point Subdivision**

- BAUGH** Mr. Baugh stated that the purpose of the plan is to subdivide the three existing parcels into one property. Currently the property is of warehouse and office use which would be maintained by the applicant. Total acreage of the proposed subdivision is approximately 25.3 acres. Plan background information was provided in a memorandum dated October 5, 2005. Planning Commission recommended granting the waivers and conditions listed. Staff concurred with

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

Planning Commission and recommended granting the modification and waiver as documented in the memorandum.

Mr. Baugh provided several photographs of the property.

**SCHENCK** Chairman Schenck noted the combination of lots and removal of an old building provided the coverage.

**BAUGH** Mr. Baugh stated that they are re-using some of that road frontage.

**LUCIANI** Mr. Luciani stated that Fleming renovated that facility.

**SCHENCK** Chairman Schenck noted that one issue that had always been there was the stormwater, and Mill Creek flows into that site. He asked whether this will be of any help to this project.

**LUCIANI** Mr. Luciani responded that the flood plain does not enter the building with a 4-foot high dock. It flows under 83 and one foot to the dock area. The increase to impervious is small.

**JEFFERS** Mike Jeffers of Kinsley reported that there would be nothing done to the existing stone home.

**DVORYAK** Mr. Dvoryak noted that there had been discussion previously about impervious areas and restrictions in places. He asked whether this is an option open to anyone, when the requirement cannot be met, to just accept fees in lieu of that.

**LUCIANI** Mr. Luciani responded that the fee in lieu of would not be accepted unless it will impact properties downstream.

**BAUGH** Mr. Baugh added that where the fee in lieu of applies is in a small project on a residential lot, which is the most common use. A lot of times the soil won't perk so putting in a seepage pit isn't going to do any good, so we take the fee in lieu of, which is \$1.00 per square foot and put it into a stormwater fund for improvements elsewhere or in that general area.

**MR. BISHOP MOVED FOR APPROVAL OF SUBDIVISION 05-10, CENTER POINT, WITH THE FOLLOWING WAIVER AND MODIFICATIONS:**

- **WAIVER OF SALDO §304 PRELIMINARY PLAN**
- **MODIFICATION OF SALDO §502.7.A, DESIGN STANDARDS REQUIRING TWO POINTS OF ACCESS FROM A THROUGH STREET TO ALLOW A SECOND EMERGENCY ENTRANCE THROUGH ADJACENT K.G. WHITEFORD PROPERTY,**
- **MODIFICATION OF SALDO §407, INSTALLATION OF CURBS AND §408, INSTALLATION OF SIDEWALKS IN THE FORM OF A NOTE ON THE PLAN STATING THAT UPON SIX MONTHS NOTICE FROM THE TOWNSHIP, THE APPLICANT SHALL INSTALL CURBS AND SIDEWALKS, APPLICABLE ONLY TO THE AREA ALONG NORTH SHERMAN STREET FROM THE**

**EXISTING ENTRANCE DRIVE SOUTH TO THE EXISTING I-83 OVERPASS  
BRIDGE ON THE WEST SIDE,**

- **MODIFICATION OF SALDO §411, LANDSCAPING AND BUFFER YARDS TO PROVIDE 41 TREES AND NO SHRUBS INSTEAD OF THE REQUIRED 25 TREES AND 50 SHRUBS ALONG ROUTE 30.**

**MR. BISHOP ALSO MOVED TO APPROVE THE PLAN WITH THE FOLLOWING  
TWO CONDITIONS:**

- **PROVIDING LETTER OF ADEQUACY FROM YORK COUNTY CONSERVATION DISTRICT;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN THE AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY.**

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

**B. LD-05-12 – Center Point Land Development**

**BAUGH** Mr. Baugh had provided background information for LD-05-12 in a memorandum dated October 6, 2005.

**MR. DVORYAK MOVED FOR APPROVAL OF LAND DEVELOPMENT 05-12,  
CENTER POINT LAND DEVELOPMENT WITH THE FOLLOWING WAIVER AND  
MODIFICATIONS:**

- **WAIVER OF SALDO §304, PRELIMINARY PLAN;**
- **MODIFICATION OF SALDO §502.7.A., DESIGN STANDARDS REQUIRING TWO POINTS OF ACCESS FROM A THROUGH STREET TO ALLOW A SECOND EMERGENCY ENTRANCE THROUGH ADJACENT K.G. WHITEFORD PROPERTY;**
- **MODIFICATION OF SALDO §407, INSTALLATION OF CURBS AND §408, INSTALLATION OF SIDEWALKS IN THE FORM OF A NOTE ON THE PLAN STATING THAT UPON SIX MONTHS NOTICE FROM THE TOWNSHIP, THE APPLICANT SHALL INSTALL CURBS AND SIDEWALKS, APPLICABLE ONLY TO THE AREA ALONG NORTH SHERMAN STREET FROM THE EXISTING ENTRANCE DRIVE SOUTH TO THE EXISTING I-83 OVERPASS BRIDGE ON THE WEST SIDE;**
- **MODIFICATION OF SALDO §411, LANDSCAPING AND BUFFER YARDS TO PROVIDE 41 TREES AND NO SHRUBS INSTEAD OF THE REQUIRED 25 TREES AND 50 SHRUBS ALONG ROUTE 30.**

**MR. DVORYAK MOVED, WITH REFERENCE TO LD-05-12, CENTER POINT LAND  
DEVELOPMENT, TO APPROVE THE PLAN WITH THE FOLLOWING  
CONDITIONS:**

- **PROVIDING LETTER OF ADEQUACY FROM THE COUNTY CONSERVATION DISTRICT;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN THE AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY;**

- **PAYING STORM WATER FEES FOR THE ADDITIONAL IMPERVIOUS AREA ON THE SITE.**

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

**C. SD-05-07 – York Business Center – Action**

**BAUGH** Mr. Baugh provided background information concerning SD-05-07, which was documented in a memorandum dated October 6, 2005. The plan proposed to divide two new lots from the former Caterpillar site for future commercial uses. The new lots, Lots 3 and 4 are located on the east side of Memory Lane. He indicated the Planning Commission recommended the plan with a waiver and several modifications. The reason for all of the modifications is from the beginning the Township agreed with the developer that, rather than look at the 427 acre site with this plan, to only look at the area being subdivided with this plan, circled; also the area by Concord Road. As new plans come in, it doesn't make a whole lot of sense right now to buffer the entire site when the adjacent property is unknown. That's the reason for the enormous number. He indicated that Staff concurs with Planning Commissions recommendations, although some items had been corrected since then, and Staff recommended approval of the plan with the waiver and several modifications. Mr. Baugh showed photographs of the area indicating the new business lots 1 and 2.

**LUCIANI** Mr. Luciani commented that there was an outstanding Developer's Agreement.

**PERRY** Attorney Ron Perry appeared in behalf of the applicant. His understanding was that there is a Developer's Agreement that had been worked out with the Solicitor and is simply waiting for approval.

**SCHENCK** Chairman Schenck asked Solicitor Rausch whether he was comfortable with that being an outstanding issue.

**RAUSCH** Solicitor Rausch recommended that it should be stated as a condition and a time limit established, such as 90 days.

**SCHENCK** Chairman Schenck asked whether, assuming a motion is made, and due to the complexity of all the modifications and conditions, that the memorandum could be referenced in the motion.

**RAUSCH** Solicitor Rausch responded that each item does not have to be read, but reference the memorandum with any changes.

**SCHENCK** Chairman Schenck commented that one change would be the 90-day time limit on the developer's agreement.

**SCHENCK** Chairman Schenck noted that whoever made the decision to look at this the way they did as far as the two parcels involved as opposed to the entire site is a good way to go.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

**BRASSLER** Chris Brassler, one of the site owners, stated that they are concerned about the 90 days. He asked for clarification as to whether that would be to agree/approve the developer's agreement. He indicated that HOP is their concern.

**SCHENCK** Chairman Schenck responded that the 90 days would apply to the completion of a signed developer's agreement.

**MR. BISHOP MOVED TO APPROVE SD-05-07, REFERENCING THE ELEVEN WAIVERS AND MODIFICATIONS IN THE MEMO OF OCTOBER 6, 2005 AND ALONG WITH THAT THE THREE CONDITIONS IN THE SAME MEMO, WITH ONE MODIFICATION OF THE SECOND CONDITION, WHICH IS APPROVAL OF A DEVELOPER'S AGREEMENT BY THE BOARD OF SUPERVISORS FOR PUBLIC IMPROVEMENTS INCLUDING CONCORD ROAD WITHIN 90 DAYS OF TODAY (OCTOBER 13, 2005). MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. SD-05-11 – HOSS'S – ACTION**

**BAUGH** Mr. Baugh provided background information as documented in his October 6, 2005 memorandum. He indicated the site is currently used by the Hoss's Restaurant Operations, Inc. and is divided by an existing stream that runs parallel to East Market Street. The parcel is accessed by a 36' wide cartway within a 50' wide right-of-way off East Market Street. The purpose of this plan is to subdivide Parcel 64A into three lots identified as Lots 1, 2 and 3. Lot 1 is located entirely on the developed, north side of the stream, while Lots 2 and 3 occupy the undeveloped land on the south side of the stream. He noted that the Planning Commission recommended approval of the plan with several conditions, also documented in the memo. Staff concurred with Planning Commission's recommendations.

**SCHENCK** Chairman Schenck noted that this matter was somewhat unusual.

**BAUGH** Mr. Baugh responded that Mr. Pasch's option to purchase the property expires the end of October.

**PASCH** Tim Pasch added that a second extension with Hoss's expires the end of November, 2005. He explained the importance of this action, which would connect to a portion of Eastern Boulevard that he had purchased.

**SCHENCK** Chairman Schenck indicated that, as long as the Staff was comfortable that the Township is protected, he would trust that judgment.

**BAUGH** Mr. Baugh noted that there is a letter concerning the matter from Attorney Katherman in the Board's packet, and it had been noted on the plan.

**PASCH** Mr. Pasch added that the property is a plot of ground on which nothing could be built; they simply need a way to purchase it.

**STAHLMAN** Mr. Stahlman indicated that there will be no construction or building done, and a certification is shown on the drawing.

**MR. DVORYAK MOVED TO APPROVE SUBDIVISION 05-11, HOSS'S WITH THE ELEVEN WAIVERS AND MODIFICATIONS MENTIONED IN THE MEMO, AND WITH REFERENCE TO SUBDIVISION 05-11, HE MOVED TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**

- **PROVIDING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN THE AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY.**

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

**Stone Ridge Road**

**PASCH** Mr. Pasch commented on the item concerning vacating Stone Ridge Road and asked whether the Board had additional questions.

**SCHENCK** Chairman Schenck responded that, based on an earlier discussion during the Engineer's Report, there probably would not be action on the matter during this meeting.

**PASCH** Mr. Pasch explained the scenario with the property owner. He explained that he had spoken with her and had offered to blacktop her driveway and had sent a letter to confirm his offer.

**SCHENCK** Chairman Schenck indicated his only question related to the legal description and that it would be complete with respect to the little parcel that the property owner used for parking during the winter.

**PASCH** Mr. Pasch responded that he agreed to blacktop that as well. He indicated he would fax Jim Baugh with his offer to the property owner.

**SCHENCK** Chairman Schenck reiterated that no action would be taken until the Board is comfortable that the matter is completely clear.

**8. COMMUNICATION FROM SUPERVISORS:**

**Park Restrooms**

**GURRERI** Mr. Gurreri asked whether the park restrooms are to be opened during the day. A resident had attempted to use the restroom and it was locked.

**HOLMAN** Mr. Holman responded that they are locked at night, but added that he would check on the matter.

**Intersection – Market and Northern Way**

**GURRERI** Mr. Gurreri stated his concern about intersections. There was a traffic improvement meeting that addressed that, but the intersection at Northern Way

and Market Street was not addressed. Mr. Gurreri noted that it was an area that needed to be addressed.

**HOLMAN** Mr. Holman responded that it was part of the YTC plan.

**GURRERI** Mr. Gurreri commented that there had been mention of a change of ownership in the Coca Cola Company. He thought there had been some cost estimates to make changes in that intersection.

**LUCIANI** Mr. Luciani responded that a budget had been prepared three years ago, and he could review those costs.

**HOLMAN** Mr. Holman indicated that the intersection could be added to the next YTC review meeting.

**Construction – York County Prison**

**GURRERI** Mr. Gurreri stated that there had been some discussion concerning the welding work being done at the prison; the material was not compatible with the steel. He wondered whether it had been addressed.

**BAUGH** Mr. Baugh responded that he had contacted C. S. Davidson, which is representing the County in the construction of the prison and also discussed it with the welding inspector. The original complaint was that the materials used for the weld were not the proper material. The inspector was employed by C. S. Davidson as their subcontractor for the special testing. His qualifications are excellent. In any event C. S. Davidson voided their contract with his company. They have employed someone else to do those inspections. They've assured the Township that there would be something in writing that the welding joints had been triple checked and inspected by a certified welding inspector. A meeting will be held October 14<sup>th</sup> to attempt resolution.

**Sewer Bill Envelopes**

**GURRERI** Mr. Gurreri reported that a resident had asked that reply envelopes be included with the sewer bills. The resident indicated he wouldn't mind paying for the envelope.

**SCHENCK** Chairman Schenck added that the sewer bill does not fit in a standard sized envelope.

**HOLMAN** Mr. Holman stated that there will be a minor change coming in the future concerning the fact that the OCR line can be read properly. He indicated he would check on the bill size. He added that there is an ACH option for an automatic deduction, which would eliminate the need for an envelope. A notation regarding the ACH bill paying will be included in the next newsletter.

**Saturday In The Park**

**BISHOP** Mr. Bishop commented on the recognition given the volunteers for Saturday In The Park. He singled out Don Eckert for the work he did for that event for many

months in advance and that day as well. The work he did in recruiting other volunteers and scheduling was crucial to the success of the event.

**GURRERI** Mr. Gurreri added that Mr. Bishop had done a great deal of work, and he thanked him for a fantastic event.

**BOWMAN** Mr. Bowman noted that he had previously reported an incorrectly parked car. He asked whether a report had been issued about that.

**ESHBACH** Chief Eshbach responded that the car had been parked on Hamilton Street. The owner of the car was contacted and told not to park there because the way the car was parked was partially blocking the roadway. If there's a further or continuing problem, then the complainant should call the Police Department, and the car will be towed.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that he had provided a copy of the DCED Emergency Responders Training Program grant application. A meeting was held with Senator Waugh along with officials from Spring Garden Township. Senator Waugh requested that the grant application be sent through his office; he would assist with the grant program. Spring Garden will be the lead agency for this grant. Mr. Holman requested a motion from the Board authorizing Spring Garden to be the lead agency and for submission of the grant. This grant will assist with payment for professional services needed during the Jt. Fire Service work in order to keep moving the project forward.

**SCHENCK** Chairman Schenck added that Senator Waugh is very interested and would like to lead his colleagues through the process and help gain support for this project. He indicated this effort was the first in the state of Pennsylvania to look at merging professional fire services, and the legislators are very much interested in the project. The grant request will help cover anticipated legal costs, work with actuaries, labor work, etc.

**MR. GURRERI MOVED TO AUTHORIZE SUBMISSION OF THE GRANT IN PARTNERSHIP WITH SPRING GARDEN AND SPRING GARDEN TOWNSHIP TO BE THE LEAD AGENCY. MR. BOWMAN WAS SECOND.**

**HOLMAN** Mr. Holman noted for the record that Spring Garden approved this action during their meeting on October 12, 2005.

**MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise Revised Ordinance Providing for the Licensing and Regulation of Parades and Public Assemblies.**

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT OF REVISED ORDINANCE PROVIDING FOR THE LICENSING AND REGULATION OF PARADES AND PUBLIC ASSEMBLIES. MR. GURRERI WAS SECOND.**

**GURRERI** Mr. Gurreri noted that he wanted to be sure that Solicitor Rausch had reviewed and approved the document.

**MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 05-09 – Vacating Portion of Stone Ridge Road**

**SCHENCK** Chairman Schenck noted for the record that no action would be taken at this time.

**RAUSCH** Solicitor Rausch recommended any action be held until the items are clarified.

**HOLMAN** Mr. Holman stated he will check the advertising date to be sure the next meeting is still within 60 day time frame.

**Consensus of the Board was agreement to table action until the next meeting.**

**C. Ordinance No. 05-10 – Amending Section 300-6 of the Code of Ordinances To Provide Collection of Earned Income Taxes and Net Profits at the Source and Excluding the Withholding of Such taxes from Maryland Residents**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 05-10 AMENDING SECTION 300-6 OF THE CODE OF ORDINANCES TO PROVIDE COLLECTION OF EARNED INCOME TAXES AND NET PROFITS AT THE SOURCE AND EXCLUDING THE WITHHOLDING OF SUCH TAXES FROM MARYLAND RESIDENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Ordinance No. 05-11 – Revising Subdivision and Land Development Ordinance Relating to Minor Subdivisions.**

**SCHENCK** Chairman Schenck noted that a Public Hearing had been held earlier this date.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE NO. 05-11 REVISING SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATING TO MINOR SUBDIVISIONS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Ordinance No. 05-12 – Revising Zoning Ordinance Relating to Signs**

**SCHENCK** Chairman Schenck noted that a Public Hearing had been held earlier this date.

**MR. DVORYAK MOVED TO APPROVE ORDINANCE NO. 05-12 REVISING ZONING ORDINANCE RELATING TO SIGNS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 05-65 – Depository Resolution: Bank of Hanover**

**HOLMAN** Mr. Holman stated that the Bank of Hanover offered the best rate on a CD investment opportunity.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 05-65 DEPOSITORY RESOLUTION: BANK OF HANOVER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Resolution No. 05-66 – Establishing the Harry Joseph Schenck Memorial Eagle Scout Project at Stonewood Park Fund**

**HOLMAN** Mr. Holman stated that Solicitor Rausch had contacted him earlier and requested to hold action on this item until further work is completed on this Resolution.

**Consensus was to hold action until a later date.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – September 8, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF SEPTEMBER 8, 2005 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Budget Work Session – October 5, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS BUDGET WORK SESSION MINUTES OF OCTOBER 5, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Open Burning in Township**

**SCHENCK** Chairman Schenck referred to a memorandum received in the packet based on a complaint from Sylvia Balent summarizing the complaint with background information, where this ties into the State Building Codes and the process to change ordinances.

**HOLMAN** Mr. Holman indicated he had turned the information over to the Solicitor for a legal opinion on the matter.

**RAUSCH** Solicitor Rausch stated that it is not infrequent to have a resident who disagrees with a neighbor's activities. He indicated that one of the items the Board must consider is that when a regulation is enacted, it includes all those individuals who are behaving in a responsible fashion. It would be very difficult to just pinpoint a specific problem, (fire dishes) without including such things as charcoal grills, citronella candles, etc. all of which include open flames. Solicitor Rausch appreciated Mrs. Balent's problem; however, legislating something of a nuisance nature must be a Township-wide issue as opposed to an individual act of irresponsibility.

**SCHENCK** Chairman Schenck appreciated his comments. He asked whether there would be other means to have one misbehaving individual use some common sense.

**RAUSCH** Solicitor Rausch responded that no law is being violated.

A lengthy discussion took place and the following is a summary of comments:

- Torches and tiki candles are acceptable open flames.
- Fire Department considers fire dishes less dangerous than turkey fryers.
- Outdoor fireplaces are not a problem.
- Fire Department will respond if they are called.
- Put a screen on the fire dishes.
- Regulations are difficult, and if enacted would necessitate exemptions for scouting events, people doing outdoor cooking, hot dog cooking.
- Maintain gas grills, coals in charcoal grills, keep hoses handy.
- Open burning, even contained, if flames are outside the contained area, it's a violation and Fire Department will take charge.
- Stores advertise fire dishes sitting on patio, not grass.
- Impossible to regulate bad behavior with 7,000 homes in the Township.
- Ordinance may not get the desired result.
- Market place is changing; monitor fire dish situation and review again in the future.
- Produce a newsletter article about burning for education of residents.

**Consensus of the Board was to hold the matter for future review. No further action will be taken at this time.**

**B. Kingswood Estates: Sidewalks on Edgewood Road**

**LUCIANI** Mr. Luciani reported that he talked to the contractor and the highway contractor. The sidewalk work is part of the curbing and roadwork along Edgewood Road. Restoration work will not occur until spring 2006 due to the October 15<sup>th</sup> deadline for using Superpave, and rainy weather has been a factor. From a bonding standpoint there are two amounts available: a 10% general amount and a 5% of the total project, which amounts to well over \$150,000 of available funds for sidewalks. They have assured Mr. Luciani of their intention to install the sidewalks.

**RAUSCH** Solicitor Rausch added that the MPC does provide for non-compliance by developers, and additional options are available including the financial security.

**14. NEW BUSINESS:**

**A. Request for Septic Tank Pumping Interval Extension (from 3 to 6 years): Beverly Miller, 3623 Ridgewood Road**

**SCHENCK** Chairman Schenck reported that the Board had received a typical report from Mr. Hodgkinson indicating agreement with her request. The on-lot management program does allow such action based on unique circumstances if they can provide evidence that the septic tank does not need to be pumped as often as the ordinance requires. Chairman Schenck asked whether there is a way to monitor the situation when there is an ownership or change of house use takes place.

**HODGKINSON** Mr. Hodgkinson responded that there are procedures in place.

**DVORYAK** Mr. Dvoryak asked whether the extension would include the six years or longer.

**HODGKINSON** Mr. Hodgkinson responded that this would be a one-time extension.

**SCHENCK** Chairman Schenck commented that would be the way to manage the situation, by going back in six years to determine the situation and if there are changes, the extension is lost.

**MR. GURRERI MOVED TO APPROVE THE REQUEST FOR SEPTIC TANK PUMPING INTERVAL EXTENSION FROM THREE TO SIX YEARS, BEVERLY MILLER, 2623 RIDGEWOOD ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Appointment of Emergency Management Coordinator**

- 1) Andrew Stern, Emergency Management Coordinator**
- 2) Lieutenant Scott Laird, Deputy Emergency Management Coordinator**

**SCHENCK** Chairman Schenck asked who held the positions in the past.

**STERN** Mr. Stern responded that Dan Flohr and Lt. Harvey held those positions in the past.

**SCHENCK** Chairman Schenck posed a potential situation. If a need arose to go into the Emergency Management mode and Mr. Stern is the Fire Chief, would this keep him from his other duties.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

**HOLMAN** Mr. Holman responded that it would be consistent with his duties as Fire Chief and it would not be unusual for the Fire Chief to be the Emergency Management Coordinator.

**MR. GURRERI MOVED TO APPOINT THE EMERGENCY MANAGEMENT COORDINATOR, ANDREW STERN, AND LIEUTENANT SCOTT LAIRD, DEPUTY EMERGENCY MANAGEMENT COORDINATOR. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of 2004 Police Department Annual Report**

**SCHENCK** Chairman Schenck stated that the report had been received.

**MR. BOWMAN MOVED TO ACKNOWLEDGE RECEIPT OF THE 2004 POLICE DEPARTMENT ANNUAL REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Acknowledge Receipt of Financial Statements for Infrastructure Development Grant Contract No. 000000981 (Eden Road Project).**

**SCHENCK** Chairman Schenck indicated that report had been received as well.

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF FINANCIAL STATEMENTS FOR INFRASTRUCTURE DEVELOPMENT GRANT CONTRACT NO. 000000981 (EDEN ROAD PROJECT). MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck reminded the Board that an Executive Session had been scheduled following the meeting.

**BISHOP** Mr. Bishop asked for discussion about budgets.

**HOLMAN** Mr. Holman responded that the next meetings will be held October 19<sup>th</sup> and October 26<sup>th</sup> at 6 p.m. Mr. Gurreri will be unable to attend the 26<sup>th</sup>.

**SCHENCK** Chairman Schenck asked about the date for the Adoption of the Budget.

**HOLMAN** Mr. Holman responded that the presentation must be made by the November Board meeting, including advertisements. He hoped to have the strategic sessions completed prior to that November meeting.

**GURRERI** Mr. Gurreri asked whether any additional meetings will be scheduled during November.

**HOLMAN** Mr. Holman stated that some additional dates would be scheduled in November, and one for November 26, 2005.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 13, 2005  
APPROVED**

**SCHENCK** Chairman Schenck added that the next sessions will be held October 19<sup>th</sup> at 7:30 a.m. and October 26<sup>th</sup> at 6 p.m.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:10 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**OCTOBER 13, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, October 13, 2005 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  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
John Luciani, First Capital Engineering  
Charles Rausch, Solicitor  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:30 p.m. He explained the purpose of the Hearing was to take public input on a proposed revision to the Zoning Ordinance relating to signs.

**2. NEW BUSINESS:**

**A. PROPOSED REVISIONS TO ZONING ORDINANCE RELATING TO SIGNS**

**SCHENCK** Chairman Schenck reported that comments from the York County Planning Commission had been provided to the Board.

**BAUGH** Mr. Baugh noted that their comments had been received after the Board packets had been distributed.

**SCHENCK** Chairman Schenck asked Mr. Baugh for his general comments.

**BAUGH** Mr. Baugh responded that the documentation had been provided to Stacey MacNeal for her review and there had been some concern as to the height and area questions. The matter of temporary signs is in the current ordinance and remained unchanged. Lettering of the signs is on a scale of lines with dimensions.

**SCHENCK** Chairman Schenck thanked Mr. Baugh for his clarification. He asked for any comments from the public.

**Public Comments**

There were no public comments.

**GURRERI** Mr. Gurreri noted that four or more years ago the sign ordinance had been changed. The staff worked with the community for about two years to create a sign ordinance that everyone agreed upon. Again, it is being changed, but there is no comment from the community. He asked Mr. Baugh if there had been any response from the community.

**BAUGH** Mr. Baugh responded that he had submitted it for support letters, and it had been nearly a year in the process. It had been discussed during almost every staff meetings. The only feedback received had been favorable. All major developers in the Township had been provided copies and comments were solicited. He had reviewed the written responses and received no negative responses.

**GURRERI** Mr. Gurreri noted that he was surprised nobody had attended the meeting. Personally he had received no comments.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the Public Hearing at 6:40 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**OCTOBER 13, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, October 13, 2005 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  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN  
ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
Erika Belen, Community Development Coordinator  
John Luciani, First Capital Engineering  
Charles Rausch, Solicitor  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:45 p.m. He explained the purpose of the Hearing was to take public comment on a Subdivision and Land Development Ordinance relating to Minor Subdivisions.

**2. NEW BUSINESS:**

**SCHENCK** Chairman Schenck stated that this Public Hearing had been advertised. He asked whether there was any public comment.

**Public Comment**

There was no public comment.

**SCHENCK** Chairman Schenck noted that York County Planning Commission had provided comments regarding the proposed ordinance. He asked Mr. Baugh to clarify their comments.

**BAUGH** Mr. Baugh responded that the YCPC had disagreed with the Township's definition concerning the creation of new lots. The definition does not say 'new lots' but rather 'no additional lots'. Adjoining lots do not create additional lots. This is just an assurance that no additional lots are being created. In addition, the Township has a right to grant all the waivers. The Township's intent is to eliminate the applicant filling out several different waivers; this would be all encompassing. The applicant would simply ask for a minor subdivision instead.

**SCHENCK** Chairman Schenck asked for additional questions or comments. There were none.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman  
Secretary

**SPRINGETTSBURY TOWNSHIP**  
**PUBLIC HEARING**  
ja

**OCTOBER 13, 2005**  
**APPROVED**

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 5, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 5, 2005 at 7:30 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

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

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Jack Hadge, Director of Finance  
Mark Hodgkinson, Director of Wastewater Treatment  
Charles Lauer, Director of Public Works  
Michael Schober, Buchart Horn

The Board of Supervisors held budget work session number two on the above date and time. The purpose of the work session was to discuss the 2006 proposed budget.

Wastewater Treatment

Mr. Holman asked Mr. Hodgkinson to review the proposed Wastewater Treatment Department budget with the Board.

Mr. Hodgkinson explained the following Capital projects that are proposed for 2006:

- Sewer Rehabilitation – Memory Lane Extended
- Sewer Main and Lateral Inspection System
- Replacement of Dump Truck #950
- Market Street Sewer Replacement
- Mt. Zion Road Manholes
- Barwood Sewer Extension

Mr. Hodgkinson noted that the Township continues to reserve money for the Biological Nutrient Removal (BNR) project. He estimated the project would begin in 2009 and expected construction to last approximately one year.

Mr. Holman stated he would be meeting with the Barwood Road residents in the near future to further discuss the proposed sewer extension in that area.

Mr. Hodgkinson stated that utilities are projected to decrease due to the replacement of the Eden Road pump station with a gravity sewer. He added that a future goal of his would be to eliminate the Meadowlands Pump Station.

Public Works

Mr. Holman asked Mr. Lauer to review the proposed Public Works Department budget with the Board.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 5, 2005  
APPROVED**

Mr. Lauer stated that the General Services line item for gas and oil has drastically increased due to the increase in fuel costs. He added that the salaries line item has increased due to wage increases for the Teamster employees.

Mr. Schenck asked if any of the maintenance on the Township parks could be contracted out. Mr. Lauer responded that the Teamsters will not agree to contracting services out.

Mr. Lauer explained that the Maintenance and Repair of Sidewalks and Curbs line item includes the cost of curb repairs and replacement in conjunction with the sidewalk repair program.

Mr. Schenck asked if the Public Works Department was responsible for the sidewalk repair program in the Township. Mr. Lauer responded that the sidewalk program falls under the Community Development Department. He explained that the Public Works Department replaces deteriorated curbs with handicap ramps in the areas slated for sidewalk improvements.

Mr. Bowman asked who was responsible for clean up of debris in storm sewers on East Market Street. Mr. Lauer responded that East Market Street is a State road; therefore, PennDOT is responsible for the maintenance.

Mr. Lauer noted that the Township Buildings line item (account 36110) includes the electricity used in Springettsbury Park. He explained that the electric meters for the park and the police building are tied together.

Mr. Schenck thanked the staff for their input and stated discussions would continue at the next scheduled budget work session.

Mr. Holman suggested additional budget work sessions and stated he would provide dates and times to the Board for their consideration.

Mr. Holman requested a short executive session immediately following today's meeting regarding a personnel matter.

Chairman Schenck adjourned the meeting at 9:05 a.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 22, 2005 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  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Chief, Police Department  
Andrew Stern, Interim Fire Chief  
Teri Markley, Public Relations and Grants  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**B. Emmet Mahon, Senator Santorum's Regional Director for Central PA to award \$500,000 in Federal Transportation Funding for Concord Road Extension per the Tea Reauthorization Bill signed into law in August 2005.**

**SCHENCK** Chairman Schenck introduced Mr. Emmet Mahon from Senator Rick Santorum's office.

**HOLMAN** Mr. Holman stated that Mr. Mahon is the Regional Director for Central Pennsylvania in Senator Santorum's office. Through the efforts of the Senator and other Federal Representatives, the Township was awarded a Safety Grant for the railroad crossing at Concord Road, a matter the Board had been working through legal issues and difficulties for some time. The funding will help to complete the project. Mr. Mahon and Senator Santorum's office had been a great help in this process.

**MAHON** Mr. Mahon stated, on behalf of Senator Santorum, that previously he had lived in Springettsbury Township. He stated that the project was very important to Senator Santorum and he had requested Mr. Mahon to make the announcement

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

official. He indicated that this was a very fast-moving project. Senator Santorum was pleased to be able to return York County tax dollars to York County tax payers. Mr. Mahon presented a check for \$500,000 to the Township officials.

**SCHENCK** Chairman Schenck commented that the Township had long planned to extend Concord Road to connect to Industrial Highway behind Sam's Club. There will be another east/west connection in the Township and the funds will provide assistance complete that project. He thanked Mr. Holman and Teri Markley for their efforts, hard work and assistance as well.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there had been no Executive Sessions since the last meeting. The Solicitor indicated that a brief Executive Session will be held following the Regular Meeting.

**HOLMAN** Mr. Holman reported that during that Executive Session, the Solicitor will be updating the Township with regard to a legal issue, a case involving Springettsbury Township and the ACLU.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor to citizens and requested that each individual use the microphone and provide their name and address for the record.

**BALENT** Mrs. Sylvia Balent, a resident of 3865 Tarpley Drive for 13 years, read a prepared statement. The main points follow:

- Neighbors behind her back yard on Sylvan Drive have a fire dish/fire ring; extremely dangerous fire hazard.
- Fire dishes are only six inches from dry grass with a few bricks underneath.
- Piece of exploded wood found on her property; could have caused trees/property fire.
- No hose or water bucket available by the fire dish.
- Smoke filters into her home.
- Constant burning; leave a red flame burning.

Mrs. Balent requested the Township adopt an ordinance banning fire dishes, chimneas and open burning. She had contacted the Springettsbury Township Fire Captain to come and check the red flame left burning on September 10<sup>th</sup> at 10:15 p.m. In addition, she had contacted the York County Fire Marshall, who indicated the Township could adopt an ordinance banning the use of fire dishes.

**SCHENCK** Chairman Schenck thanked her for her comments. He indicated he had explained to Mrs. Balent that anyone could come forward and request an ordinance and if she felt to do so she could.

**GURRERI** Mr. Gurreri noted that he did not think open burning was permitted in the Township.

- BAUGH** Mr. Baugh responded that open burning is banned, unless the Fire Department is notified and grants permission.
- SCHENCK** Chairman Schenck requested Mr. Stern to explain the State Building Code action that overrode some of the Township's local ordinances regarding open burning.
- STERN** Mr. Stern responded that the Uniform Construction Code of the Commonwealth addressed open burning and the 2003 International Fire Code. Since that new Uniform Construction Code addressed it, all other ordinances are no longer valid. The Township could amend the ordinance of the International Fire Code by going through the Department of Labor and Industry's process for amending the Uniform Construction Code, explain to them why the local change was requested and they would determine whether to reject it or approve it.
- BALENT** Mrs. Balent reiterated what the Fire Marshall had stated, that it was up to the Township to make that ordinance against fire dishes.
- BISHOP** Mr. Bishop responded that the Board understood her position and will attempt to determine a direction. He asked Mr. Stern about the purpose behind the Building Code addressing open burning and whether it had something to do with construction or not.
- STERN** Mr. Stern responded that the State adopted the Uniform Construction Code, which included all of the International Fire Code. He added that it does address open burning, along with everything from gas grills, charcoal grills, decorative fire bowls, etc.
- RAUSCH** Solicitor Rausch asked specifically what it stated regarding open fires.
- STERN** Mr. Stern responded that it either indicated it is allowed or not. He had explained to Mrs. Balent that it really depended on how it is used as to which section of the code applies. It depended on how much wood they put in, how high the flame is and if it falls under a decorative fire device, which is what is written for these devices. He had spoken with the International Code counsel, which is the author of these codes. The intent was that these decorative fire bowls would fall under that section.
- RAUSCH** Solicitor Rausch indicated that the regulations should state that the fire bowls must be placed on a non-flammable surface.
- STERN** Mr. Stern responded that there are some requirements to that effect. He and the Fire Captain had visited the property and had not found a problem. They had burned the fire bowl twice, and there was not a code violation.
- RAUSCH** Solicitor Rausch asked how they had the fire bowl placed.
- BALENT** Mrs. Balent responded that they have the dish on four bricks.

**STERN** Mr. Stern stated he had spoken to the State Police Fire Marshall, Trooper McKenna, from Loganville. The State Police do not enforce these state codes. The state adopted them and the Townships must enforce them. His explanation to Mr. Stern was that, as they advised Mrs. Balent, the Township could adopt an ordinance. However, what he had not relayed was that the Township has to adopt it and must have the Department of Labor and Industry's approval for it to be in force. In order to do that the Township must prove to the Commonwealth what makes this Township unique. For example, if the Township were in a rural area where there was not a fire department, that might be a unique situation.

**BISHOP** Mr. Bishop stated that he would find it very useful to be able to read copies out of the State Code for a clear understanding. He asked whether there was documentation of the Fire Department's visit to Mrs. Balent's home.

**STERN** Mr. Stern responded that a memo had been written to Chairman Schenck to briefly summarize what was done.

**BISHOP** Mr. Bishop requested those two documents and suggested that a discussion be held during the next meeting to determine any appropriate additional action by the Board.

**RAUSCH** Solicitor Rausch suggested that, because the neighboring home is a rental, she should retain an attorney to send a letter to the property owner and make him aware of the situation; also to send the wood material found on her property resulting from the fire. If the property owner is put on notice that, from his property, you are receiving the burned material, he would be liable if something happened to her property.

**SCHENCK** Chairman Schenck thanked her for coming. He stated that more information would be gathered from the staff for the next meeting.

**BALENT** Mrs. Balent responded and stated she greatly appreciated the Board's time and consideration. She added that they are responsible for what happens. She warned the Board and Township to take action as it is an extremely dangerous situation.

**3. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided several updates in addition to his written report. The contractor had mobilized his equipment and materials and is ready to begin the Eden Road project. Regarding the BNR Study, he and Mr. Hodgkinson had been visiting plants with new technologies. They are investigating potential alternatives and it will be an on-going process. The Barwood Road project description of right-of-way for the sewer going through the back yard were completed.

**HOLMAN** Mr. Holman indicated he had the right-of-way descriptions and would provide them to Messrs. Schober, Hodgkinson and Solicitor Rausch for review.

**SCHOBBER** Mr. Schober continued that they are advancing with the permitting on that project due to some wet lands impacts. Later on the Agenda action will be requested on the final payment for the Bar Screen project, which will be officially completed.

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

**LUCIANI** Mr. Luciani provided several updates to his written report. He had provided an exhibit for the Board’s review regarding the Route 30 signage. He updated the Board on the traffic movements at Central High School, which seemed to be moving very well. They have a desire to allow vehicles to exit their parking lot in a quicker rate. Currently there is a turn lane by the tennis courts that is gated and remains closed except for special events. Mr. Luciani thought that closed gate was a condition of the PennDOT permit; however, that is being reviewed by Central.

**BISHOP** Mr. Bishop asked about the status of sidewalks around Central High School with the Safe Routes to School.

**LUCIANI** Mr. Luciani responded that some funds were obtained from S&A homes to construct sidewalks which would be east of Sheridan Road. The sidewalks will be completed as part of the HOP for the signal light. He had attended two Safe Routes to School seminars and reported that environmental clearance must be obtained from PennDOT in their time frame. The clearance had been requested, and Mr. Luciani indicated he would continue to push for that clearance.

**HOLMAN** Mr. Holman added that the time on the environmental clearance will tie in with the construction time frame for the new road. Before it starts up the sidewalk construction will begin. He added that Federal money can be a little complicated especially when it comes to an environmental clearance.

**LUCIANI** Mr. Luciani indicated they did not foresee any problem because it’s a developed area.

**BISHOP** Mr. Bishop asked whether there was any determination about sidewalks in the neighborhoods around the light at the actual entrance to the high school with some of the potential funding.

**HOLMAN** Mr. Holman responded that the sidewalks are planned to join there and go in either direction. There is a CAD exhibit available for that. He added that it was taking longer due to the grant requirements.

**SCHENCK** Chairman Schenck asked about the home in the new development at Edgewood and Kingston, which is nearing completion. He asked about the sidewalks on Edgewood Road within the Kingswood Development.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

**LUCIANI** Mr. Luciani responded that they have been inspecting the development, and the developer had requested some bond reductions. He was not aware of any Occupancy Permits.

**BAUGH** Mr. Baugh stated that he had discussed the sidewalk issue with Ryan Homes. No occupancy Permits will be issued for those lots until the sidewalk is installed. They have assured him that they will be completed prior to occupancy.

**SCHENCK** Chairman Schenck commented that he thought the condition was no sidewalks, no Occupancy Permits. He did not think it was selective.

**BAUGH** Mr. Baugh noted that the developer had a financial security and the only way to withhold permits is to prove the home is unsafe to occupy.

**SCHENCK** Chairman Schenck posed a hypothetical situation. If the developer did not put the sidewalks in and they had posted financial security, the Township would get the money, and the intent would be that with those funds the Township would build the sidewalks.

**BAUGH** Mr. Baugh responded that he was correct.

**SCHENCK** Chairman Schenck asked whether the financial security would be sufficient to build the sidewalks at the end of the project.

**BAUGH** Mr. Baugh responded that 10% of the total project cost is typically withheld. The original bond was in excess of \$1 million.

**SCHENCK** Chairman Schenck noted that there would be roughly \$100,000 for sidewalks.

**LUCIANI** Mr. Luciani added that would be for stormwater and all required street lights as well. He stated they would keep a close watch on the situation.

**SCHENCK** Chairman Schenck stated that there is at least one Supervisor that will insist on the installment of the sidewalk.

**4. ACCOUNTS PAYABLE:**

- A. T-A-H Construction, Inc. – Bar Screen and Septage Receiving Station – Application for Payment No. 10 in the amount of \$4,500 (final payment).**
- B. Regular Payables as Detailed in the Payable Listing of September 22, 2005**

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

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

**A. Authorization to Renew Shelter Agreement with Susquehanna Stray Animal Shelter, Inc. for the Year 2006 in the amount of \$2,900**

**HOLMAN** Mr. Holman stated that the Township had been very happy with the service received from this shelter over a number of years.

**MR. GURRERI MOVED TO GIVE AUTHORIZATION TO RENEW THE SHELTER AGREEMENT WITH SUSQUEHANNA STRAY ANIMAL SHELTER, INC. FOR THE YEAR 2006 IN THE AMOUNT OF \$2,900. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Bid Results: Portion of Parcel Between North Sherman Street and Mac Avenue, North of Route 30 and Adjacent to Rutter's Store – NO BIDS RECEIVED.**

**SCHENCK** Chairman Schenck noted that the bid results had been received for the parcel of land on North Sherman Street. He stated an acknowledgment that no bids had been received.

**HOLMAN** Mr. Holman stated that he would be meeting with Solicitor Rausch to review options, rules, regulations on what could be done with a second bid opportunity. Value of the land was estimated at \$41,000.

**BOWMAN** Mr. Bowman asked whether the land could be useful.

**HOLMAN** Mr. Holman responded that it is a buildable lot potentially for a business.

**GURRERI** Mr. Gurreri added that there is no parking.

**BOWMAN** Mr. Bowman recalled there was one interested party; however, it would be of interest only to a limited number of people. That was why he questioned the valuation.

**SCHENCK** Chairman Schenck indicated that the Board wanted to maximize the property value in the interest of the residents.

**7. SUBDIVISIONS AND LAND DEVELOPMENT;**

**A. LD-05-10 – Member's First Federal Credit Union – Action**

**BAUGH** Mr. Baugh provided background information as documented in his September 14, 2005 memorandum. The purpose of the plan is to relocate the existing Member's F.C.U. to the proposed location. Current location is to the south of the proposed site. The new site would consist of a 3,452.67 square foot building as well as associated parking and utilities. Currently the subject tract is vacant. Planning Commission recommended approval with several conditions; staff concurred with their recommendations with several waivers and conditions as documented in the memorandum. Mr. Baugh provided several overheads for review. The County recommended a median in Mt. Rose Avenue, which PennDOT did not favor

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

because of future improvements planned for that area. He noted that if PennDOT does not want the median, then they would move toward a double boomerang. He added that would be what the Developer's Agreement would indicate.

A lengthy discussion took place concerning medians, boomerang turning, alternate routes, access roads, signal warrants, future road improvements planned by PennDOT including mountable curbs, additional delay at Haines Road (only 10 seconds), and right-in, right-out turning movements.

**Consensus of the Board was to move forward with the single or double boomerang concept.**

**HOLMAN** Mr. Holman stated that he would meet with Mr. Luciani and Mr. Baugh for a review of the Developer's Agreement.

**BISHOP** Mr. Bishop asked about agreement on a condition for a grading easement, temporary sewer easement and storm water easement.

**LUCIANI** Mr. Luciani responded that the limits of work on this plan extend onto an adjoining property. They are negotiating with that adjoiner and obtaining agreements and paying for an easement to extend the sewer and a slope drain for the storm water.

**BISHOP** Mr. Bishop stated that the condition would be that they demonstrate to the Township that they have an agreement to do what they indicate they are going to do.

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

**SCHENCK** Chairman Schenck called for any further questions or comment from the Board or the developer.

**MR. GURRERI MOVED TO GRANT THE WAIVER OF SALDO §22-304 –  
PRELIMINARY PLAN PROCEDURE:**

- **TO GRANT A MODIFICATION OF SALDO §26-107.1 – STORMWATER MANAGEMENT SIDE SLOPES, TO ALLOW A SLOPE OF 2:1;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
- **PROVIDING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN AN AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY;**
- **PROVIDING AN AGREEMENT FOR GRADING EASEMENT, TEMPORARY SEWER EASEMENT AND STORM WATER EASEMENT;**
- **APPROVAL OF THE DEVELOPER'S AGREEMENT BY THE BOARD OF SUPERVISORS. SUCH AGREEMENT TO INCLUDE DEVELOPER'S OBLIGATION TO ASSURE SUFFICIENT ROADWAY CAPACITY AND**

**ADEQUATE OPERATING LEVELS. THE AGREEMENT SHALL PROVIDE DETAILS ON THE LOCATION, NATURE, AND EXTENT OF THE PROPOSED IMPROVEMENTS TO ASSURE SUFFICIENT ROADWAY CAPACITY AND ADEQUATE OPERATING LEVELS. PRELIMINARY COST ESTIMATES AND TIMING SHALL BE INCLUDED;**

- **OBTAIN AN ADDRESS FROM THE SPRINGETTSBURY TOWNSHIP FIRE DEPARTMENT.**

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

**B. SD-05-06 – Denlinger Subdivision – Action**

**BAUGH** Mr. Baugh provided background information as documented in his September 14, 2005 memorandum. The site in question is divided by Deininger Road. Lot three is on the north side of the road and consists of a dwelling and is presently served by public sewer. Lot five is on the south side of the road. The applicant is requesting to have Lot five removed from his house lot. Planning Commission recommended approval of the plan with denial of the waiver of SALDO §308, Feasibility Report on Sewer and Water Facilities, along with several conditions as documented. Staff recommended approval of the plan with several modifications and conditions as documented. Mr. Baugh provided overheads of the site.

**GURRERI** Mr. Gurreri commented that he had been advised the black top had been placed across the hump to keep water from flowing into the driveway.

**BAUGH** Mr. Baugh responded that the work was to be done by the developer.

**SCHENCK** Chairman Schenck asked about the status of the storm water situation.

**LUCIANI** Mr. Luciani responded that the area will be milled. When the Denlinger plan was approved several years ago, an initial building lot was created. Part of that approval was that they design and extend the sewer from down the road 400 to 500 feet away. When they did that they removed a lip at the entrance to the driveway. So when the water flows down Deininger Road, because that lip wasn't there, it ran down the person's driveway causing a water problem. They have re-established that lip so water continues to flow down the road. The sewer had been inspected and was found to need some rebuilding of the line.

**HOLMAN** Mr. Holman added an additional concern of the homeowner relating to water running from the back yard of this site, not from the road, but from the property driveway.

**LUCIANI** Mr. Luciani stated that the driveway had been built up.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 05-06, DENLINGER SUBDIVISION PLAN AND TO GRANT THE FOLLOWING WAIVERS AND MODIFICATIONS:**

- **WAIVER OF SALDO §305- PRELIMINARY PLAN;**

- **MODIFICATION OF SALDO §308 – FEASIBILITY REPORT ON SEWER AND WATER FACILITIES WITH THE CONDITION THAT BONDING BE PROVIDED FOR THE CORRECTION TO THE SEWER LINE AND THE STORM WATER PROBLEMS ASSOCIATED WITH THE SEWER LINE PROBLEMS.**
- **MODIFICATION OF SALDO §403 – STREETS AND APRONS TO ALLOW THE EXISTING DRIVEWAY TO REMAIN AS IT IS BUT REQUIRING ANY DRIVEWAY CONSTRUCTED WITH THE NEWLY DIVIDED LOT TO BE CONSTRUCTED TO TOWNSHIP ZONING AND SPECIFICATION STANDARDS.**
- **MODIFICATION OF SALDO §407 CURBS AND GUTTERS, §412 STREET LIGHTING, §408.1 SIDEWALKS AND §502.3 ROAD WIDENING IN THE FORM OF A NOTE ON THE PLAN STATING THAT UPON SIX MONTHS NOTICE FROM THE TOWNSHIP, THE APPLICANT WILL INSTALL CURBS AND GUTTERS, STREET LIGHTING, SIDEWALKS AND WIDEN ROADWAY TO TOWNSHIP STANDARDS..**
- **MODIFICATION OF SALDO §406 – STORM DRAINAGE TO ALLOW STORM DRAINAGE TO BE ADDRESSED AT TIME OF BUILDING PERMIT.**
- **MODIFICATION OF SALDO §411 – LANDSCAPING AND BUFFER YARDS TO ALLOW THE EXISTING TREES ON THE WESTERN PORTION OF THE SITE TO BE USED AS A BUFFER YARD WITH THE CONDITION THAT THE TREES MAY NOT BE REMOVED.**

**AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING NAME, SEAL, AND SIGNATURE OF REGISTERED SURVEYOR PRIOR TO PLAN APPROVAL.**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN THE AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY. THE FINANCIAL SECURITY SHOULD INCLUDE FUNDS TO REPAIR THE EXISTING SEWER LINE BETWEEN MANHOLES 2659 AND 2660 AND BRING IT INTO CONFORMANCE WITH TOWNSHIP STANDARDS AND FUNDS TO REPAIR THE STORM WATER ISSUE THAT IS CAUSING ISSUES FOR THE HOOVER PROPERTY,**
- **OBTAINING AN ADDRESS FROM THE FIRE DEPARTMENT.**

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

**C. SD-05-08 – Orchard Hills Phase IV – Action**

**BAUGH** Mr. Baugh provided background information as documented in his September 14, 2005 memorandum. The purpose of the plan is to subdivide the existing 12.18 acres lot into nineteen single family detached housing units. The current site is vacant with grass and tree cover. The plan is a final stage plan, and phase four for the overall Subdivision plan. Planning Commission recommended approval of the plan with several modifications and conditions. The drainage easement issue

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

has been resolved, and staff concurs with several modifications and conditions as documented in the memorandum. Mr. Baugh provided overheads of the plan.

**SCHENCK** Chairman Schenck asked whether Eva Fay Witmer was satisfied with what had been done.

**LUCIANI** Mr. Luciani responded that Mr. Lauer had investigated the pipe that was collapsing. Stonewood Road formerly was a State road, but now is a Township road. The Township right-of-way was determined, and where the pipe was collapsing was outside of the right-of-way and connects with the private pipe that Mrs. Witmer's husband built. He had been contacted by Mrs. Witmer's attorney, Jack Shorb, and he had provided the name of the developer, Conewago Contractors. Conewago put a plan together and repaired the pipe. They were not obligated to do so, but they replaced the pipe.

**SCHENCK** Chairman Schenck was pleased with that outcome. He asked about the status of the intersection and some realignments that were to take place.

**LUCIANI** Mr. Luciani responded that the plan is very old but follows the preliminary plan for the intersection of Witmer and Old Orchard. There had been some litigation on this plan regarding sidewalks along Witmer. He thought that had been resolved four or five years ago. He added that if it were a new plan there would be sidewalks.

**MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION 05-08, ORCHARD HILLS PHASE 4 FINAL SUBDIVISION.**

- **TO GRANT A MODIFICATION OF SHOWING EXISTING STREETS WITHIN 400 FEET;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND AN INSPECTION ESCROW IN AN AMOUNT OF 10 PERCENT OF THE FINANCIAL SECURITY.**

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

**SCHENCK** Chairman Schenck thanked the developer for working with the resident homeowner.

**8. COMMUNICATIONS FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck noted that he had multiple communications from Ms. Sylvia Balent, and he was thankful that she had attended the meeting and spoke concerning her fire bowl issues.

**BOWMAN** Mr. Bowman commented about sidewalks. There are several sidewalks in Haines Acres, and one specifically at the corner of Erlen and Raleigh Drive, in disrepair. He noted that several years ago the Township had gone through and done some

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

repairs. He asked how often that is done. He stated that this particular sidewalk really needed attention.

**BAUGH** Mr. Baugh indicated that Public Works used to go around and mark sidewalks. He noted that, as far as a regular schedule for sidewalk repair, he was not aware of one. Generally items for repair come to their department, and they go out and check.

**HOLMAN** Mr. Holman stated that they would send the Code Inspector out to take a look at the sidewalk.

**SCHENCK** Chairman Schenck recalled that there had been a rolling schedule that Public Works went out and inspected a quadrant of the Township every year. He added that, relating to the earlier discussion about budget items, that is an example of items that fall through the cracks over time. He was sure that Public Works was deploying their resources in other areas, but there are negative impacts.

**BOWMAN** Mr. Bowman noted there is an automobile parked in the same area where the large truck had been illegally parked. The car is too far away from the curb according to the neighbors and the school buses have a difficult time getting by it. He asked that it could be investigated.

**ESHBACH** Chief Eshbach responded that they will measure it. If it is over 12 inches from the curb, the owner will be cited.

**SCHENCK** Chairman Schenck brought up the matter of PODS again. He had been advised during a previous meeting that the existing Township ordinances could deal with those types of devices being placed on properties. They are being marketed that they could be placed for an unlimited amount of time, and Chairman Schenck could see issues coming up in the future.

**BAUGH** Mr. Baugh responded that they are being treated like any other shed, which must meet certain requirements. They met with the Home Depot manager, who advised that they are not purchased through Home Depot, but rather through an 800 number for an Ohio location. Mr. Baugh had contacted the company and they had been somewhat cooperative.

**SCHENCK** Chairman Schenck reiterated that it seemed to be a new trend with some legitimacy, and perhaps the Township should add provisions to allow them to some degree. He was especially concerned that old, rusty shipping containers could appear as a POD and there would be no way to enforce their removal.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report; however, he had several matters for discussion during the Executive Session.

**SCHENCK** Chairman Schenck added that he might have one other additional potential litigation issue concerning fire pits.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that, in addition to his regular report, the only other item had been provided to the Board, which was the Volunteer's Handbook for the Saturday in the Park.

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

**A. Ordinance No. 05-09 – Vacating Portion of Stone Ridge Road**

**SCHENCK** Chairman Schenck stated that the ordinance had been advertised and a public hearing was held. It could be adopted. One question had surfaced concerning a small plot of ground.

**LUCIANI** Mr. Luciani indicated that the legal description should be cleared up.

**HOLMAN** Mr. Holman recommended to hold any action until the next meeting in order to double check the deed with regard to the private property for correct information.

**RAUSCH** Solicitor Rausch stated that there are 60 days from the date of advertising.

**Consensus was to hold any action until the next meeting.**

**B. Resolution No. 05-64 – Additional Street Lights along East Side of Edgewood Road**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO 05-64, ADDITIONAL STREET LIGHTS ALONG EAST SIDE OF EDGEWOOD ROAD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing – September 8, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS PUBLIC HEARING MINUTES, SEPTEMBER 8, 2005. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop noted that Mr. Gurreri was not in attendance during the meeting. He wondered whether it was appropriate that he make the motion.

**HOLMAN** Mr. Holman responded that it would not violate Robert's Rules for him to make a motion. He may not vote on them.

**MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Giambalvo-Carpet Mart Business Park Signage: TODS**

**HOLMAN** Mr. Holman provided an example of the proposed signage. An application must be provided to the State. He asked for the Board's thoughts on the wording and whether the Board approved of the sign for a business park for advertising. He wanted to meet with the business owners, but the Board must submit the application.

**LUCIANI** Mr. Luciani stated that are only a couple of options. One clearly could read Commerce Park or Business Park. The other option is that the two business involved are Giambalvo and Carpet Mart and the two words could be reversed.

**BISHOP** Mr. Bishop asked whether Business Park had to be as prominent as the business names.

**LUCIANI** Mr. Luciani responded that the letters are minimum sizes.

**BISHOP** Mr. Bishop wanted to be clear that the Township was doing this in response to a specific traffic change that had been made and not something that every business in the Township should anticipate.

**GURRERI** Mr. Gurreri commented that he made a good point.

**LUCIANI** Mr. Luciani noted that the median was installed and traffic diverted away from those businesses. Coming westbound on 30 there is no possibility for left turns to get to those businesses.

**SCHENCK** Chairman Schenck stated that it is a significant change in traffic.

**LUCIANI** Mr. Luciani stated that the businesses had a 20% loss in business because of that change.

**HOLMAN** Mr. Holman asked for direction from the board if they are comfortable with the sign style so they can meet with the businesses to finalize the name. That will have to be submitted in the application by the Township.

**SCHENCK** Chairman Schenck indicated that he thought the Township should do so.

**HOLMAN** Mr. Holman indicated that was the direction they needed.

**GURRERI** Mr. Gurreri thought it was a good solution.

**14. NEW BUSINESS:**

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

**B. Acknowledge Receipt of August 31, 2005 Treasurer's Report**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 22, 2005  
APPROVED**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL  
OBLIGATIONS FOR PENSION PLANS REPORT AND THE AUGUST 31, 2005  
TREASURER'S REPORT. MR. GURRERI WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck reminded the Board of the Executive Session to follow.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:35 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**SEPTEMBER 22, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, September 22, 2005 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  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Charles Rausch, Solicitor  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Work Session to order at 6:30 p.m. He stated the purpose of the meeting was to discuss the 2006 budget format.

**BISHOP** Mr. Bishop commented on several thoughts. He wanted more of an opportunity for discussion with the department heads in order to gain a better understanding of strategic planning within the Township. He added that it might not be part of budgeting, but it had been important and provided valuable insight to the Board members.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop's comments. Previously during budgeting there had not been so much the discussion of numbers, but rather hearing about the department and where the department heads see it going into the future.

**HOLMAN** Mr. Holman indicated that the original submittals from the directors were included in the packet for the Board.

**SCHENCK** Chairman Schenck responded that without dialog the original submittals are hard to understand. There are three inputs to the budget, (1) from the department heads, (2) the Manager's input and, (3) the Board's input.

**HOLMAN** Mr. Holman noted that the budget itself is always an evolving process. He added that the day the Board adopts the budget he begins the next year's budget.

**SCHENCK** Chairman Schenck stated the Board needed more visibility with the department heads.

**HOLMAN** Mr. Holman noted that the Board's strategic planning occurs within the policy making, and from that he gets direction for the budget.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**SEPTEMBER 22, 2005  
APPROVED**

**SCHENCK** Chairman Schenck commented that they don't really do any strategic planning, and the closest they had come to that was during the budget sessions where each and every department head was interviewed. Every business does it and they are very effective.

**DVORYAK** Mr. Dvoryak indicated that he thought interaction with department heads was a great idea. Having the opportunity for interaction with them once a year during budget time would be a perfect time for face-to-face meetings.

**BOWMAN** Mr. Bowman echoed Mr. Dvoryak's thoughts. He had missed that opportunity last year.

**BISHOP** Mr. Bishop suggested having the budget information ahead of the meetings in order to have the time for review.

**BOWDERS** Mrs. Bowders stated that there are five advertised meetings scheduled:  
10/19 – 7:30 a.m., 11/9 – 7:30 a.m., 11/16 – 6:30 p.m., 11/30 – 7:30 a.m.,  
12/8/05 – Final Adoption

**Consensus of the Board was to have Mr. Holman schedule the department heads to attend the specific budget meeting when their department would be reviewed, and that they be prepared for interaction during that meeting.**

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the Work Session at 6:45 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**SEPTEMBER 22, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, September 22, 2005 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  
George Dvoryak  
Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Charles Rausch, Solicitor  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:45 p.m. He stated the meeting was advertised and the purpose of the meeting was to discuss a proposed ordinance to vacate a portion of Stone Ridge Road in conjunction with the new road, Cinema Drive. He opened the floor for any public comment.

**MILLER** Vera Miller of Marvel Drive in Windsor Township asked about the traffic study that was done for Hunters Crossing and Field Stone Manor. The traffic study had included traffic on Stone Ridge Road, which is proposed to be vacated. She asked whether that traffic study would still be valid.

**LUCIANI** Mr. Luciani responded that Stone Ridge Road was part of the Township's master plan and part of this development. The Township desired to connect Market Street near the Food Lion and the design for Cinema Drive was established through staff meetings. The developer had placed Cinema Drive where the Township requested and it connects up to that area. The old road and the new road were not in sync so a new road was created and the old road vacated. In answer to her question concerning the traffic studies, Mr. Luciani responded that they are still valid.

**MILLER** Ms. Miller asked whether emergency vehicles could navigate the road.

**BAUGH** Mr. Baugh provided an explanation of the traffic pattern from Hong Kong Cleaners up Stone Ridge and instead of intersecting with Eastern Boulevard, a right turn just before Eastern Boulevard would connect with Cinema to Market Street.

**GURRERI** Mr. Gurreri added that the road had been vacated in advance of opening the new road, but it had to be handled in that way in order to put the curb in for the other road.

**SCHENCK** Chairman Schenck indicated that the Township had been a little surprised with the timing, but when it's all done it will flow very well.

**HINDES** Mr. Jim Hinds of the Housing Development Corporation, General Partner with the Wyndamere Apartments Associates noted that most of that vacated road is part of their property. He attended the meeting in order to take note of the proceedings. For the record he stated that they have no

objection to the vacating. It was his understanding that the portion of their property that is being vacated will simply revert to them to the apartments in fee simple with no incumbrances.

**RAUSCH** Solicitor Rausch responded that he was correct except for any existing utility rights-of-way.

**GRAY** Mr. Eric Gray, along with his fiance' Marie Stine, who lives at 3580 Stone Ridge Road, indicated that there is an issue with the parcel. Where Stone Ridge turns into the strip mall, the little section that was closed off, coming forward out to the edge where it's closed of is Ms. Stine's parcel. She had contacted Mr. Pasch, and they indicated that the Township had not been aware of the little parcel. There had been a foundation there, which she used to park in the winter months so that she could pull out on to Stone Ridge. Now that the foundation had been destroyed, she has to park across the street in her driveway. The other spot was easy access for her to get out in the winter.

**LUCIANI** Mr. Luciani responded that he had not been aware of it.

**SCHENCK** Chairman Schenck recalled the location which had a garage that burned down. He asked Mr. Luciani to review the matter with Solicitor Rausch.

**LUCIANI** Mr. Luciani stated that he would check into it.

**SCHENCK** Chairman Schenck thanked them for bringing it to their attention. He asked for any further comments. He noted again for the record the meeting had been properly advertised and there is a potential for adoption at the Regular meeting.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:55 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**SEPTEMBER 14, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, September 14, 2005 at 7:00 p.m. at the Springettsbury Township office located at 1501 Mt. Zion Road, York, PA.

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

**ALSO IN ATTENDANCE:** John Luciani, Civil Engineer  
Dave Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Work Session to order. He thanked everyone for attending and stated that it was an advertised public meeting. He indicated that the purpose of the meeting was to revisit the entire East York Traffic Study completed in April, 2002. He introduced John Luciani, the Civil Engineer for the Township.

**LUCIANI** Mr. Luciani provided background information concerning the Traffic Study done in 2002, in conjunction with TRG, Transportation Resource Group. Following a number of complaints from the residents about speeding and cut-through traffic, they were requested by the Board to study and provide some alternatives. The conclusion of numerous traffic counts, police intervention and the collection of data was a comprehensive plan to solve the problems. It was determined that it would be necessary for an endorsement of the plan by 80% of the residents. Focus Groups were established and signatures were obtained to establish the endorsement. If there was opposition to specific changes, they were removed from the overall plan. Mr. Luciani described the improvements in specific neighborhoods. Storm water drainage and cost were two of the major hurdles, in addition to gas leaks discovered in the area of Market and Eastern Boulevard. Work was completed at Market and Eastern, in addition to the installation of speed humps on Vernon and East Philadelphia Street. A portion of the overall plan was completed.

**AUSTIN** Mr. Austin noted that the formal study process was quite extensive and there was a great deal of interest by the residents, who invested time and energy and were sincere about the issues and expectant of the results. The efforts of the public, the Township, First Capital, and TRG were summarized and prioritized in an executive summary. The Township did not complete the entire plan due to fiscal constraints. Mr. Austin indicated the next step is to revisit the areas where improvements had been made to evaluate, collect additional data, monitor speeds and determine how effective those improvements had been. He stated the importance of recognizing that a change in one neighborhood street placed an impact on another.

**SCHENCK** Chairman Schenck stated that it was important to note that, in order to change the location of a stop sign, a traffic study must be done, and the County will approve or disprove the change. He wondered whether the study done previously could support future changes as well.

**AUSTIN** Mr. Austin responded that there are established statements for installing stop signs, and the same conclusions would be reached even if a new study would be done. However, the installation of some physical impediments would slow traffic down.

**GURRERI** Mr. Gurreri commented on the Market, Kershaw and Marshall Streets stop signs. He asked about the approval of 75% of the residents in those areas.

**LUCIANI** Mr. Luciani responded that the traffic circle at Kershaw Street was endorsed by 24 (or 75%) of the residents.

A detailed discussion ensued, and a summary of points follows:

- Curb extensions to narrow the road.
- Traffic circles – effective but difficult for street maintenance, snow removal; cost.
- Significant water drainage problems, flooding and damming, ice patches.
- Re-evaluate the traffic counts; Kershaw Street counts are nearly the same in 2005.
- Continue with the plan and do Phase 3 being mindful of fiscal constraints.
- Improvements made have established a reduction in speed and slight reduction in volume.
- Impacts on Royal, Russell, Keesey, Seventh, Haines Road.
- Speed humps – Quick installation, inexpensive and effective for speed reduction.
- Bituminous curb extensions; change in pavement types; rumble strips.
- Directional line painting to help transition.
- State-designated bicycle routes.
- Addition of concrete flower pots.
- Physical measures may impede emergency vehicles ingress and egress.
- Reversing stop sign at Kershaw will not reduce volume; circle and islands will help.
- Gather additional selective data to answer basic questions.
- Motorists must be more responsible.

## **2. PUBLIC COMMENT:**

**SCHENCK** Chairman Schenck opened the floor for comment from the residents. He hoped that they had gained a little information from the discussion.

**PERLMAN** Barb Perlman of South Kershaw Street commented that the demographics in the Kershaw Street area have changed, and 600 cars each day with six houses on it is

unacceptable. The speed is not the issue; volume is. She liked the idea of putting planters in. She indicated that, because many people do not stop at the stop sign on Eastern, a fatality could occur.

**YORK** Mr. Terry York, 28 South Kershaw, asked about the initial intent for switching the stop sign at Kershaw and Eastern Boulevard. He wondered what data had been used to support the decision.

**AUSTIN** Mr. Austin responded that input had been received from residents about the stop signs. At the time of the study process, it was recommended and fit into the overall program. The study included a data collection and resident input.

**YORK** Mr. York noted that the first phase of the original plan had been completed with the idea to decrease the volume on Eastern Boulevard. He asked why Eastern would have no stop signs, which resulted in a throughway street.

**AUSTIN** Mr. Austin responded that, in addition to switching the stop signs, it was recommended to narrow the roadway for traffic calming.

**SCHENCK** Chairman Schenck added that the next step is to install physical devices to force motorists to drive more slowly.

**LUCIANI** Mr. Luciani added that the plan not only concerned the traffic, but also accommodated pedestrians, and by moving vehicles through at a reasonable speed, the area becomes safer.

**BISHOP** Mr. Bishop added that his recollection when the whole process was started was to have the traffic remain on Market Street. That had been achieved to some degree.

**YORK** Mr. York asked whether data had been collected on the side streets including Kershaw since the first phase had been completed and whether there had been any change.

**LUCIANI** Mr. Luciani responded that data specifically had been collected on Kershaw. During the 2002 study, 600 to 610 vehicles were counted. The data in 2005 counted 620.

**YORK** Mr. York asked whether Kershaw Street was designed for the volume of traffic flowing through.

**LUCIANI** Mr. Luciani responded that it is a 26-foot wide cartway.

**AUSTIN** Mr. Austin added that it would be reasonable and compatible for the volume. He noted a two-hour period with rush hour traffic where a surge is noted.

**YORK** Mr. York noted that when cars are parked on both sides of the street, only one car can move through at a time.

- SCHENCK** Chairman Schenck commented that the circles could be installed and adjustments made to the curb, along with changing the signs.
- LUCIANI** Mr. Luciani responded that he could provide a budget for that work.
- AUSTIN** Mr. Austin added that it would be consistent with the original plan called for in Phase III. As long as the physical measures around the intersection would be done together, they would be comfortable with it.
- YORK** Mr. York indicated that he thought the Kershaw Street residents would be amenable to that and would be glad that something would be accomplished at this point.
- SCHENCK** Chairman Schenck noted that one thing the Township can't do is just change the stop signs without doing other measures.
- YORK** Mr. York responded that he understood something would have to be done with the center island. If a temporary Phase III would be done, he thought it would satisfy the residents.
- CALHOUN** Wanda Noll Calhoun, 1790 Eastern Boulevard, commented that her concern was safety. The volume of traffic is going to continue to be heavy due to the number of residents. She asked whether any data had been gathered on Marshall Street prior to the implementation of the plan.
- AUSTIN** Mr. Austin responded that a feed-in count had been done.
- CALHOUN** Ms. Calhoun indicated that there is a safety issue in that area. They moved into their residence in April of 2002 and understood that traffic calming would take place and it would be safer for everyone. They were disappointed that what they heard would be done in the original planning was not moving forward. She urged the Board to consider them on the curve for additional safety.
- LUCIANI** Mr. Luciani noted that the initial plan had not moved forward because of a lack of residential approval.
- SCHENCK** Chairman Schenck added that the implementation included raised islands and bumped out curbing.
- AUSTIN** Mr. Austin encouraged Ms. Calhoun to continue to regain the support and interest of the area residents affected by the traffic and keep abreast of the process.
- BISHOP** Mr. Bishop stated that he had been uncomfortable with the idea of the 75% or 80% resident approval all along. He indicated that, as elected representatives, to accede responsibilities to a Focus Group who may or may not have complete information or be residents for long, would be a mistake. He suggested thinking about that before going through that process again.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop's comment.

**CALHOUN** Ms. Calhoun urged the Board to review everything and utilize something cheap and easy to install, wouldn't harm anyone's automobile or create a lot of other issues and to review all the options and reinforce what is done in one place does make a difference to the smaller streets and impacts all of the residents.

**LUCIANI** Mr. Luciani stated that Mr. Bishop made a good point and that it was important to note that ultimately the financial responsibility lies with the Board.

**SCHENCK** Chairman Schenck asked for a consensus of the Board.

**BISHOP** Mr. Bishop stated that Mr. Luciani and Mr. Austin had pointed the Board in the right direction in terms ultimately of the budget process. The Board needed to have appropriate information in order to make the necessary decisions, and they now have a much better idea in terms of the options for consideration. Discussion on road improvements during the budget process will assist in making those decisions for the entire Township.

**SCHENCK** Chairman Schenck asked whether it would be helpful to move the process forward in phases, such as had been done with the park.

**LUCIANI** Mr. Luciani indicated he would provide line items for each of the features.

**BISHOP** Mr. Bishop asked whether the Board could agree not to count anything else.

**SCHENCK** Chairman Schenck agreed that counts would not be necessary in order to make a decision.

**YORK** Mr. York noted that it had been studied enough. As a physician he makes decisions based on information provided to him. The residents simply want to see some action moving forward. If it is determined not to be affordable, then the residents will have to live with that.

**SCHENCK** Chairman Schenck indicated that it seemed like no action had taken place; however, from his perspective the Township had spent money in other areas of the Township every year. There is only a certain amount of money to be spent.

**BISHOP** Mr. Bishop added that a lot of money had been spent on the initial project.

**ZEIDERS** Mr. Zeiders indicated that they had waited four years and if the Township would simply provide the circles the residents would be ecstatic.

**SCHENCK** Chairman Schenck responded that the Board had heard that clearly. He thanked the residents for coming.

**BISHOP** Mr. Bishop added that Mr. Holman would have come to the meeting; however, he had a significant family event.

**ESHBACH** Chief Eshbach added one additional suggestion of placing raised medians through the intersections at Kershaw, etc. and the stop signs remain. He elaborated on the idea and thought it would be cheaper.

**AUSTIN** Mr. Austin indicated he would characterize it as a dramatic change.

**SCHENCK** Chairman Schenck stated that he and Mr. Luciani could review his idea.

**LUCIANI** Mr. Luciani stated that he would provide pricing for a number of the features.

**DVORYAK** Mr. Dvoryak noted that what he had heard indicated a great opportunity to make a safer roadway; the only drawback would be finding the money to do so.

**Consensus of the Board was agreement to price speed bumps, center islands and curb bump outs; potentially reverse stop signs on Eastern resulting in reduction of speed due to the navigation around circles.**

**3. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 8, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 8, 2005 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  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri noted the disastrous events of Hurricane Katrina and the devastation to the people in the south. He offered a prayer over the meeting and for the Hurricane recovery effort. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck reported that no Executive Sessions had been held since the last Regular Meeting and none were planned.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor to citizens for comments. He asked that everyone use the microphone and state their names and address for the record.

**FIX** Mrs. Jean Fix, 2050 Deininger Road, spoke about drainage problems on her property. She stated that the Township had hard topped and elevated the road some 40 years ago and the problem had existed since then. She provided photographs for the Board's review. She explained that she had appealed to the Township many times over the years and had received a Field Inspection Report from First Capital Engineering indicating that the cause of the

drainage resulted from their hard topped driveway, which she stated was not pertinent due to the fact that the water runs down hill and had taken a foot and a half of their property heading toward the house. They had secured a grant from York Conservation District. A rip-wrap will be installed; however, she still needed some type of drainage.

**SCHENCK** Chairman Schenck stated that it was a new problem to him.

**FIX** Mrs. Fix thanked the Board for listening to her complaint.

**HEIDLEBAUGH** Ms. Angie Heidlebaugh, 80 Mt. Zion Road, had provided a letter to the Township concerning the York Town Center. She voiced opposition to the proposed mall, a summary of which follows:

- Her property is located two to three blocks away from the Galleria and other malls.
- Traffic conditions cannot support another mall.
- Five intersections need to be improved including one for the new York Town Center.
- Tractor-trailer traffic constantly in and out.
- New mall needs to go to the southern end of York County to accommodate Red Lion/Dallastown.
- York Town Center would provide another 400 low-paying jobs; need business with better wages.
- Competition for the Galleria.

**SCHENCK** Chairman Schenck stated that the Township creates an environment with a lot of flexibility for what will be built. The particular site could be developed as an industrial site, as a hotel, apartments, etc.

**HEIDLEBAUGH** Ms. Heidlebaugh responded that she would prefer any of those that Chairman Schenck had mentioned.

**SCHENCK** Chairman Schenck indicated that it is up to the landowners to decide what they want to do with their property once the environment is created, as they have the expertise to know whether a store will or will not be successful.

**HEIDLEBAUGH** Ms. Heidlebaugh stated that the 18-wheelers pose a potential traffic fatality. During the May Zoning meeting a comment was made that more space is still available that could be purchased by industry utilizing more large trucks.

**SCHENCK** Chairman Schenck stated that the Board had just received her letter, but he noticed that many of her questions related to the sidewalks.

**HEIDLEBAUGH** Ms. Heidlebaugh responded that during the Zoning meeting mention was made about sidewalks up and down Mt. Zion Road next year. She wondered who would be responsible for that.

- SCHENCK** Chairman Schenck responded that he was not aware of any discussion concerning that issue. He stated that, for this development if they were to put sidewalks in, it would be on their property on their frontage on Mt. Zion Road, and they would be responsible for that.
- HEIDLEBAUGH** Ms. Heidlebaugh stated that she was concerned she would have to put sidewalks in, which would include removal of seven pine trees and cost her thousands of dollars.
- SCHENCK** Chairman Schenck stated that he was not aware of anything in the plan that requires sidewalks off site.
- BISHOP** Mr. Bishop noted that the Zoning Hearing Board does not make decisions of that nature.
- SCHENCK** Chairman Schenck agreed.
- HEIDLEBAUGH** Ms. Heidlebaugh asked how the residents could be protected after the mall goes in and why they should be responsible for sidewalks.
- SCHENCK** Chairman Schenck emphatically stated that Ms. Heidlebaugh would not be responsible for sidewalks related to the York Town Center.
- BISHOP** Mr. Bishop stated that he had been on the Board for 12 years and he could not recall ever having required anyone to put sidewalks on a property that was already established. The Township can only compel people to install sidewalks when the property is being re-developed.
- HEIDLEBAUGH** Ms. Heidlebaugh stated for the record that she would not be responsible to pay for sidewalks on her property.
- BISHOP** Mr. Bishop indicated that the Township had never done so since he had been on the Board.
- RAUSCH** Solicitor Rausch stated that the Township, or any municipality, by law has the right to require the installation of sidewalks if they deem fit. While this Board makes decisions, they are not aware of and have not approved any plan to install sidewalks along Mt. Zion Road.
- HEIDLEBAUGH** Ms. Heidlebaugh indicated that the law is not fair. Her neighbors, who were present as well, lost 16 feet from their property. Retaining walls are needed and gas lines need to be moved.
- SCHENCK** Chairman Schenck re-stated that no sidewalks are planned.

**RAUSCH** Solicitor Rausch indicated that the York Town Center was on the Agenda for later during the meeting, and she was welcomed to stay and listen.

**Sewer Backup**

**PROBERT** Mr. William Probert, Jr., 2248 Dixie Drive, reported a situation that he faced concerning water in his basement over a holiday weekend. He provided details concerning hiring a plumber and the ensuing determination leading to a sewage back up into his basement. Methane gas escaped into his home. He contacted the Township Waste Treatment and 911. Waste Treatment personnel discovered an area filled with sludge and grease, cleaned out the sewer, which corrected the problem. However, he had damage in his basement including walls soaking up water, loss of some appliances. He had some costs involved with clean up and had contacted Mr. Holman who advised him to send his bill, which would be forwarded to the insurance company.

**HOLMAN** Mr. Holman indicated that was the required process for any claim.

**PROBERT** Mr. Probert indicated that the Waste Treatment/sewer personnel came back to inspect again and determined that it was indeed a Township problem that had caused the back up into his home. He commented that Jim Crooks had been very helpful and suggested that a letter and information be forwarded to Mark Hodgkinson, who recommended that Mr. Probert attend the meeting and voice his concern to the Supervisors. His hope was to get some assistance from the Township as his Homeowner's policy did not cover any damages due to sewer backup. He felt that the Solicitor would indicate that municipalities are not responsible to pay for these kinds of acts unless negligence can be proven; however, he would appreciate if there could be a mutually agreeable conclusion with some of his costs reimbursed. He added that there are high priority lines that are cleaned on a regular basis, and obviously the lines in his neighborhood should be made a high priority and cleaned on a more regular basis. The line does feed from Memory Lane, which has several restaurants hooked up to it. He understood that the last time it had been cleaned was July 19, 2004.

**SCHENCK** Chairman Schenck responded that, while Mr. Probert had presented the situation very well, he was aware that some protocol had to be followed with the insurance carrier. He assured him that there would be an open dialog with the Township, and he did not expect any problem. He stated that the area where Mr. Probert resides typically is not an area where those problems surface. The sewer personnel work very hard on intercepting grease out of restaurants because of the kinds of problems caused. Chairman Schenck was certain that they will be investigating the source.

**PROBERT** Mr. Probert asked for an assurance that the area would be placed on a high priority cleaning as he did not want a repeat to happen a year and a half from today.

- SCHENCK** Chairman Schenck indicated he was sure that the source of the problem would be found and measures taken to correct the situation.
- HOLMAN** Mr. Holman indicated that he will collect all the reports from Mr. Lauer, Mr. Hodgkinson and Mr. Crooks, and along with Mr. Probert's letter, he would process the claim to the insurance company.
- PROBERT** Mr. Probert asked whether there was any precedent set where if the insurance company did not pay any of the costs, there would be some kind of compensation to homeowners.
- SCHENCK** Chairman Schenck responded that he did not know. Over the 12 years he had been with the Township, he could not recall any cases like this one.
- RAUSCH** Solicitor Rausch stated he did not know of any precedent; however, they had not had to deal with any similar situations.
- HOLMAN** Mr. Holman indicated it was the first time he had to deal with it.
- GURRERI** Mr. Gurreri commented that they appreciated his coming to the Board and that the Board members were sorry he had the problem but it would have to go through the right channels.
- PROBERT** Mr. Probert thanked them for their attention and added that he would be sending his letter to Mr. Holman.

**York Town Center**

- DAWSON** Mr. Cordell Dawson, 64 Mt. Zion Road, stated that he and his family had resided on Mt. Zion Road for the past 39 years. He stated his opposition to the York Town Center with the following:
- He did not believe there was a need for another shopping mall or sidewalks.
  - Because of traffic congestion there had been two deaths in front of his home, his mailbox had been destroyed five times, and the telephone pole in front of his house had been taken out three times.
  - Traffic conditions and congestion will not improve with a new mall going in.
  - He counted 300 cars going past his property within an hour and a half; it will only increase with a new mall.
  - He understood that a medial strip was going in the middle of the road and that the highway would be widened. He had already lost 16X75 feet of his property due to eminent domain.
  - He is retired and would not have the finances to put in sidewalks and a retaining wall.
  - He asked that the Township would better communicate with the residents.

**SCHENCK** Chairman Schenck responded to some of his concerns. As far as a widening of Route 24, he was not aware of any plans to do so.

**LUCIANI** Mr. Luciani stated that there would be widening at Concord Road off the 30 ramp but not south on Mt. Zion Road at Market. Funding was made available for a widening at Mt. Zion and Market; however, it was not part of the York Town Center development.

**SCHENCK** Chairman Schenck asked Mr. Luciani about the medial strip area of concern to Mr. Dawson.

**LUCIANI** Mr. Luciani responded that a medial strip was planned for East Market Street east of Mt. Zion Road, which was a separate project by PennDOT.

**SCHENCK** Chairman Schenck responded to his comment concerning residents being notified. The York Town Center project required a Zoning Variance. When application is made for a variance, the affected property owners within a 300 to 500 foot distance always are notified. Mr. Dawson may or may not have been notified depending on the distance.

**DAWSON** Mr. Dawson commented that he probably was outside of the distance.

**BAUGH** Mr. Baugh added that the property in question also must be posted.

**York Co-Gen Facility**

**PETERSON** Mr. Gary Peterson, 4311 Old Orchard Road, stated he is the Facilities Manager at the York Co-Gen Facility, which is owned by Solar Turbines, Inc., located off the corner of the old Caterpillar property just past the RR Donnelly building. They have had some difficulties with truck traffic coming through that obstructs the access to their facility. Their biggest concern is whether emergency vehicles can get through when necessary. He did not think that truck traffic was something that the Township could control. He asked whether it was considered a Township road.

**SCHENCK** Chairman Schenck responded that the Township had recently adopted part of Concord Road as a Township road.

**PETERSON** Mr. Peterson continued that it was a concern, and with the addition of construction work going on, along with the 18-wheeler truck traffic, he was interested in how the construction will be undertaken and how it would impact truckers and people who need access to his facility.

Mr. Peterson added that the Co-Gen facility has no street address. He understood that all facilities, businesses or homes must have a street address assigned. He was not sure who would be responsible for that, but he would

appreciate it if he could contact whoever would be responsible to get that accomplished.

**SCHENCK** Chairman Schenck responded that Andrew Stern manages the Emergency Services.

**STERN** Mr. Stern stated that he would discuss it with Mr. Petersen.

**BISHOP** Mr. Bishop asked how many people who at the Co-Gen facility.

**PETERSON** Mr. Peterson responded that there are five full time people.

**Stop Signs, Speed Bumps**

**WOO** Ms. Karen Woo, 3220 Forest Lane, stated that Forest Lane intersected with Cortleigh Drive. She drives that way every day to get out of her development. There is a stop sign at Corleigh and Forest, which she indicated 50% of the motorists heed. She wondered whether there was anything a resident could do to intervene in the traffic in the area of her property. She asked for bigger stop signs, more speed bumps.

**SCHENCK** Chairman Schenck responded that by virtue of the fact that she had come to the meeting and provided information, that was the kind of input the Board needed. Patrols can be increased and traffic controls enforced. There is no easy answer to the problem, which the Board hears at nearly every meeting.

**BOWMAN** Mr. Bowman asked whether her stop sign was fairly visible or hidden by trees.

**WOO** Ms. Woo responded that it was visible. There was one going up the hill as well. For the most part the motorists traveling down the hill go through the stop sign.

**GURRERI** Mr. Gurreri thanked Ms. Woo for coming to the meeting and advised that Mr. Holman will work on the problem.

**Paving/Curbing Priorities**

**STONER** Mr. Spurgeon Stoner, 3872 Sylvan Drive, spoke about curbing. Driving around the township he had noticed that curbing had been replaced in various areas. He wondered what the priority was for the replacement of curbing. Raleigh Drive got new curbs, but the curbs on Sylvan Drive are in need of repair.

**SCHENCK** Chairman Schenck responded that it was a fair question. Only so much curbing is done every year based on cost.

**HOLMAN** Mr. Holman stated that if a street was being rebuilt, which was what was done with Raleigh, then the curbing is replaced. It is cheaper to put in a new

curb than it is to re-set older curbs. If a curb needed to be replaced and they're not doing the road, then that becomes the homeowner's responsibility.

**SCHENCK** Chairman Schenck agreed with Mr. Stoner that the curbs on Sylvan are in terrible condition.

**STONER** Mr. Stoner added that the 100 and 200 blocks especially need to be replaced, much older than in his section.

**HOLMAN** Mr. Holman stated that they would review that area as part of the road improvements plan. He will discuss it with the Public Works Superintendent, Mr. Lauer, who will go out to the site to look at the road and the curbs and get that information to Mr. Stoner.

**GURRERI** Mr. Gurreri noted that Raleigh Drive had been dug up to put storm drains in a few years ago. As a result the street was in bad shape and had to be redone.

**STONER** Mr. Stoner noted an additional subject, which was the seal coating that goes on from time to time on different streets. He wondered what the priority was on that as well, as he had noticed other streets being seal coated that did not appear to need it.

**SCHENCK** Chairman Schenck responded that the priority is much the same. Mr. Lauer evaluates the roads and devises a plan each year of which roads should be repaved. Chairman Schenck could not provide data that would indicate when Sylvan Drive will be repaved.

**STONER** Mr. Stoner stated that he had contacted Mr. Lauer and learned that Sylvan was not slated for anything soon.

**SCHENCK** Chairman Schenck called for any further public comments. Hearing none, he thanked all those who had spoken for their input.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided a several updates. Eden Road Interceptor – Shop drawings had been received from the contractors and they are moving forward. They are expected to mobilize in the next few weeks. A revised rail crossing permit was received, and everything appeared to be in order. Barwood Road – Right-of-way descriptions are being prepared for the new sewer going through the back yards. They will be provided to the Township Manager within the next two weeks. Long Range Sewer Planning – Jim Crooks and his crew are completing the markup drawings, which is the first phase of the new GIS mapping project. It will be tabulated and put into a

database. It was a significant amount of work which took a little longer than expected; however, significant progress was made.

**SCHENCK** Chairman Schenck asked about the Meadowlands Pump Station.

**SCHOBBER** Mr. Schober responded that an evaluation was completed and it was determined that a gravity path could be provided into a line running parallel to Market Street. A determination will be made as to whether the lines could carry additional flow.

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

**LUCIANI** Mr. Luciani provided several updates to his monthly report. Following the East York Traffic Calming discussion, he met with Chief Eshbach, Messrs. Holman, Baugh, Lauer, and Austin to review the data. They are prepared for the Work Session next Wednesday, the 14<sup>th</sup>. We have some good facts of what was done out there and can move forward. Concord Road – The Norfolk Southern correspondence was provided to Mr. Holman, and Solicitor Rausch is working on the PUC Agreement. Apparently the one stumbling block to Norfolk Southern was the type of material the Township used for this crossing, so both estimates were provided. In a previous meeting the Board agreed to use a better grade of material. Mr. Luciani stated that he believed that would be the last issue prior to moving forward and withdrawing any opposition.

**HOLMAN** Mr. Holman confirmed that it had been reviewed in June and the better material was selected to move forward with this project.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of September 8, 2005**

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

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

**A. Authorization to Renew Hemler/Animal Control Service Contract for the Year 2006.**

**SCHENCK** Chairman Schenck indicated that there was a question related to the price of gasoline. Other than that the contract is the same.

**HOLMAN** Mr. Holman stated that the price of gasoline would be impossible to target. He recommended the renewal. Hemler has done a good job with regard to animal control in the Township. Chief Eshbach concurs with that and would like to move forward with approval of the contract. He added that he could

not blame anyone for looking at the price of gasoline when writing a contract. Hemler is not looking at raising his costs at this point.

**ESHBACH** Chief Eshbach stated that whatever the price of gas is when the contract is executed, unless it moves \$.50 from that price, it will stand.

**MR. GURRERI MOVED TO AUTHORIZE RENEWAL OF HEMLER/ANIMAL CONTROL SERVICE CONTRACT FOR THE YEAR 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Relocation of Eden Road Project – Authorization to reimburse Harley Davidson Motor Company for Alternate No. 5 in the amount of \$34,324 (storm water basin liners).**

**HOLMAN** Mr. Holman explained that the Township contractor did this work on one of Harley's environmental basins. It was allowable under the grant, but the Township was concerned about over-expending the grant, so Harley provided money for the Township to hold. The project was brought in under budget of the grant so a few of the grant funds will be returned to the state. Harley's money must be refunded, and when that is completed, a single audit will be done on the grant, which will close out the grant and the project.

**MR. DVORYAK MOVED TO AUTHORIZE REIMBURSEMENT TO HARLEY-DAVIDSON FOR ALTERNATE NO. 5 IN THE AMOUNT OF \$34,324.00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-05-06 – York Town Center Final Subdivision and Land Development Plan – Action**

**BAUGH** Mr. Baugh provided background information as documented in his memorandum dated 8/31/05. High Associates, Ltd. proposes to redevelop The Bon-Ton Department Stores, Inc.'s distribution center located along Mt. Zion Road between Concord Road and Route 30. The property is located in the Flexible Development District. High proposes a retail shopping center. The Zoning Hearing Board granted certain variances relating to parking and landscaping due to the fact that it is not currently one single lot. With the plan it will eventually become one single lot. Planning Commission recommended approval with several waivers and modifications shown in the memorandum, several of which had since been addressed. Staff recommended approval of the plan with some modifications and waivers also noted in the memorandum. Mr. Baugh provided overheads of the plan and the site. The applicant requested to make a brief presentation and answer any questions.

**GURRERI** Mr. Gurreri asked what had been considered rather than installing sidewalks.

**BAUGH** Mr. Baugh indicated the sidewalk would go from Concord Road up to Route 30, where there are no ways for pedestrians to cross at that intersection. The Township did not want to promote people walking in that direction and run the risk of someone being injured at the intersection.

**HOLMAN** Mr. Holman added that currently it is a non-pedestrian crosswalk. The note would simply allow the Township to change that.

**GURRERI** Mr. Gurreri commented that the Township would have more difficulty by installing the sidewalk.

**BAUGH** Mr. Baugh responded that, if the Township demanded that a sidewalk be put there and someone is hurt, then there could be some liability incurred by the Township.

**HORNBECK** Mr. Ken Hornbeck, High Associates, represented the owners of York Town Center. He provided the plans for the center utilizing the former Bon Ton Distribution Center land. The Bon Ton Distribution Center will be demolished and new improvements built in its place. He provided a presentation for the Board and the audience and addressed some of the concerns that had been raised.

**Road Improvements**

His presentation included the location where retail shops would face one another with primary internal parking. He discussed road improvements, summarized below:

- Access provided solely off Concord Road with right-in, right-out only access for the eastern shops and parking; further west will be a signalized intersection for full-turn movements east or west, and an additional access for relief parking as well as truck circulation.
- He explained the road improvements which included a lengthened off ramp for Route 30 westbound to access Mt. Zion Road east.
- Signal modifications will be made to timing at Mt. Zion/Whiteford Road intersection.
- Signal timing adjustments made to signal at eastbound Route 30 off Mt. Zion;
- Improvements and widening to Mt. Zion from Route 30 along eastern and front of property.
- Significant widening to the Intersection of Mt. Zion/Concord and Mt. Zion west.
- Proposed dual lanes for every approach.
- No widening to the Bridge crossing the rail tracks.
- Re-striping and re-paving lanes across bridge.
- No widening to Mt. Zion further south beyond Industrial Highway and no sidewalks.

- Funding will be provided in a combination of developer, state, county and federal funds.

**RAUSCH** Solicitor Rausch asked for an explanation as to why there will only be one access in and out of Concord Road and why Mt. Zion cannot be used.

**HORNBECK** Mr. Hornbeck responded that, due to the proximity of the Route 30 off ramp onto Mt. Zion, business from this point to Concord Road did not allow for a safe access point into their site. The traffic coming from the off ramp needs a certain distance to accelerate up to the speed limit on Mt. Zion Road and get into the through lanes before connecting to the dedicated turn lane at that point to Concord. This is the safest design that they, their traffic engineer and the Township all agree was best to handle the traffic flow on Mt. Zion.

**RAUSCH** Solicitor Rausch asked whether the traffic study indicated what proportion of motorists would be using Concord Road going west once it is approved. He wanted to address the audience's comments and questions concerning the flow of traffic back onto Mt. Zion Road.

**THORNTON** Dan Thornton of TRG responded that 19% of the traffic both coming and going is expected to head west on Concord Road once it's connected. Other traffic splits to either east, north, or south.

**BOWMAN** Mr. Bowman asked how much sider Mt. Zion Road will be on either side.

**HORNBECK** Mr. Hornbeck responded it would be widened only about 10 to 12 feet on either side for one additional lane.

**RAUSCH** Solicitor Rausch asked for discussion concerning trucks blocking lanes and whether the improvements will solve the problem.

**PARKER** Mr. Doug Parker responded that currently the tractor-trailers and delivery trucks that access the Caterpillar/York Butterfly plant do so by a driveway that comes off of what is currently a dead end of Concord Road. He stated that the Co-Gen facility is located further up towards Route 30 beyond where those tractor-trailers have to go. With the Concord Road Extended project, these tractor-trailers will find it is in their best interest to head west on Concord Road, With the improvements being made, the dual left turn lanes, the through lane and the right lane, the developer, the traffic engineer and the Township staff believe it will provide adequate stacking for the trucks. He responded to one concern concerning whenever the road improvements are reconstructed, access to the Butterfly Distribution Center will be maintained in and out full time and at no point will be closed off. In addition, the developer conducted a voluminous traffic study to provide the roadway improvements.

**DVORYAK** Mr. Dvoryak asked about signal timing adjustments and how they will impact the flow of traffic on Mt. Zion Road.

**THORNTON** Mr. Thornton responded that the timing changes will take some of the green time off the side streets and give it to the main line traffic to provide more flow. It is a signal timing optimization to provide motorists with the least amount of delay at the signal.

**HEIDLEBAUGH** Mrs. Heidlebaugh asked about the entrances with incoming and outgoing traffic. She commented that motorists will be able to get into the mall, but perhaps might not be able to get out because of the trucks, which will likely take two lanes out instead of one.

**THORNTON** Mr. Thornton commented that a lot of traffic for shopping centers is pass-by traffic that's already on Route 24 either going home or going to work, stopping to get something and heading back out to their destination. It's traffic that's already on the road, just diverting a little bit to get something and go on their way. Eighty percent is going to go to the Concord Road/Route 24 intersection. About 25% is going to head south, 5% east along Concord Road, and the remaining portion is going to go to Route 30. Traffic studies had been conducted on typical weekdays Tuesdays, Wednesdays and Thursdays and they had included a Saturday count as well.

**Esthetics of the Shopping Center**

**HORNBECK** Mr. Hornbeck provided information concerning the theme for the front of the shopping center, which will be a combination of brick elements with stores facing inward. There will be accent lighting and architectural highlighting with accents over the entranceways, which provide a very attractive appearance.

**Tenants**

**HORNBECK** Mr. Hornbeck stated that potential tenants are provided with 30,000 to 50,000 square feet each. None of the tenants are currently represented in the Galleria Mall. Mr. Courtney mentioned their joint venture partner, which owns and operates the York Galleria. There will be no solicitation of any of the retailers at the York Galleria.

**View**

Mr. Hornbeck stated that the Planning Commission had a concern about the rear of the buildings facing Mt. Zion. Landscape and screen planting will be done along Mt. Zion Road to help buffer the view of the backs of these buildings from Mt. Zion Road. In addition, additional measures were taken on the rear of the smaller shop spaces and additional plantings will be done in areas identified by staff and Planning Commission.

**Lighting**

Mr. Hornbeck reported that there will be lighting interior to the parking lot area, which is where the bulk of the lighting standards will be located for lighting the front of the buildings and the parking field. He reiterated that the lighting is accent and highlighting. The parking lots have standard poles, and around the outside of the rear will be very minimal lighting back by the loading docks.

**Parking**

Mr. Hornbeck reported that a variance was received for a slight reduction in the overall parking to 1,384.

**Development Agreement**

**COURTNEY**

Mr. Charles Courtney, McNeese, Wallace and Nurick, provided the Board with a draft of the Development Agreement. The Agreement documents identification of the following:

Transportation Improvements:

- Concord Road Extension
- Mt. Zion/Concord Road
- Main Access driveway traffic signal
- Northern Way/Industrial traffic signal

Elective Transportation Improvements:

- Traffic signal optimization at Mt. Zion/Whiteford; Mt. Zion/Route 30 eastbound ramp.

Funding Sources:

- Developer funding
- Federal funds of \$500,000 allocated to Concord Road Extension
- York MPO has slated \$500,000 for 2009 development of Concord Road Ext.
- IFIP Program – Administered by DCED
- PennDOT Safe-T-Lu Program - \$500,000 allocated over 5 years beginning in 2005.
- Advanced Construction – PennDOT decision to shuffle funding

**COURTNEY**

Mr. Courtney continued that the Development Agreement covers two types of improvements, the transportation improvements and the on-site public improvements, such as storm water management and financial security for that.

An additional item covered in the Development Agreement is Unfunded Transportation Improvement, items not covered by the IFIP. The developer was given options in this option.

- Developer can elect to construct the improvements that are not funded
- Pay money to the Authority, PennDOT, to construct the improvements.
- Delay construction.

Mr. Courtney stated for clarification on the proposed condition language referencing the intersections. It did reference the Market Street/Mt. Zion intersection and he stated that it is a contribution. In addition, it did say “including but not limited to” these intersections and obviously the traffic study, discussions with the Planning Commission, and discussions with staff, has narrowed the focus in terms of the realm of what the transportation improvements are.

Mr. Courtney mentioned an additional clarification concerning the HOP, which he assumed was a plan recording condition.

**BAUGH** Mr. Baugh responded that he was correct; it is a recording requirement.

**RAUSCH** Solicitor Rausch clarified that the Township is protected because there are the notes on the plan. Approval of the plan does not mean the property can be used. An HOP must be obtained. He indicated he would place a time frame within the Development Agreement, subject to the approval, for example 90 days, so that there are three months in which to do the work, and an extension could be provided.

**HOLMAN** Mr. Holman agreed that a 90-day time period would be sufficient for the Development Agreement.

**RAUSCH** Solicitor Rausch added that his understanding was that the HOP permit would not be made part of the agreement.

**BISHOP** Mr. Bishop questioned the concept of multiple lots which would eventually become one lot without a reverse subdivision.

**COURTNEY** Mr. Courtney explained that it would be a delayed reverse subdivision. He explained that the property is cut into three lots. The Bon Ton owns a piece and BT York owns two pieces. The developer has agreements with both owners. At the end of the project there will be a lifetime exchange between High, as the owner of the property of the York Town Center, and the BT York which owns the property.

**SCHENCK** Chairman Schenck commented that he had not heard of doing a subdivision as part of a land development approval.

**BAUGH** Mr. Baugh responded that, although it is unusual, it had been reviewed with legal counsel and agreement was reached that it legally could be done.

**BISHOP** Mr. Bishop asked whether there was pedestrian access from one side to the other internally.

**HORNBECK** Mr. Hornbeck responded that he was correct. There is an island across the middle with a walkway from the east to the western portions of sidewalk that

provides safe access for pedestrians. He pointed out that they are providing a bus stop location along Concord Road as well.

**SCHENCK** Chairman Schenck asked whether the developer could consider putting an actual bus stop structure there. Other developers had done that and the community really appreciated it. He added some discussion concerning pedestrians on Concord Road.

**ESHBACH** Chief Eshbach stated that it is posted as non-pedestrian crossings. There are no ped buttons on the signals to allow pedestrians to call up the light. They're posted that way. The ramifications are, if somebody's crossing there and is hit as a pedestrian, they're actually in violation of the traffic device. Whatever happens with the vehicle, whatever violation they made would be lost.

**SCHENCK** Chairman Schenck noted that people are being encouraged to cross in a place where it's basically against the law to cross the street.

**BISHOP** Mr. Bishop asked what would be involved ultimately in making that a pedestrian crossing intersection?

**ESHBACH** Chief Eshbach responded that an approval by PennDOT would be required. They would probably warrant that type of intersection with one change signal to allow pedestrian buttons.

**BISHOP** Mr. Bishop noted that the specific area is one that had been the subject of a lot of discussion in the Comprehensive Plan Task Force and Committee, and especially with the park.

**MR. BISHOP MOVED FOR APPROVAL OF LD-05-06 YORK TOWN CENTER FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN TO GRANT:**

- **Waiver of SALDO §304 & §305.2 for Preliminary Plan;**
- **Waiver of SW §106.B to allow 4.11 CFS for TD-3, 6.41 CFS for 1-6 and 7.64 CFS for 1-8;**
- **Waiver of SW §107.G to allow 0 percent basin bottom slope;**
- **Waiver of §107.H for maximum basin depth to allow a depth of 7.5';**
- **Waiver of §107.I maximum 4:1 basin side slope to allow a side slope of 3:1;**
- **Modification of SALDO §408.1 for sidewalks along Mt. Zion Road in the form of a note on the plan that the required sidewalk will be provided within six months of written notice from the Township;**
- **Modification of SALDO §502.9.C.4 to allow an access drive to be closer than 20 feet to the adjoining property line based on written agreement from the adjoining property owner;**
- **Modification of §305.2 AA to not show signage on the plans;**

- **Modification of SALDO §411 for landscaping and architectural treatment will be provided along the eastern and northern side of the site in the PennDOT right-of-way; and,**

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

- **Providing a financial security in an amount approved by the Township Engineer, plus the 10% inspection escrow for the Township;**
- **Providing a Highway Occupancy Permit for State Route 24 is obtained before Building Permit is issued;**
- **Obtaining PUC approval for Concord Road rail crossing prior to issuance of a Building Permit**
- **Approval of the Development Agreement by the Board of Supervisors, such Agreement to include developer's obligation to make improvements to substantially eliminate the critical changes resulting from the development, or to contribute funds to the Township to enable the Township to make such improvements, and to assure sufficient roadway capacity and adequate operating levels. Areas of improvement shall include, but not be limited to the intersections of Mt. Zion Road and Concord Road, Northern Way and Industrial Highway, East Market Street and Mt. Zion Road, and improvements to the east and west bound ramps of Route 30 at Mt. Zion Road, the extension of Concord Road and the site driveways.**
- **Conditioned upon settlement of the Development Agreement between the Township and the developer within 90 days.**

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

**B. Sewage Planning Module No. A3-67939-396-3 – Eagles View/Rishel Tract, Manchester Township – 57,050 GPD**

**MR. GURRERI MOVED TO APPROVE SEWAGE PLANNING MODULE NO. A3-67939-396-3 – EAGLES VIEW/RISHEL TRACT, MANCHESTER TOWNSHIP – 57,050 GPD.**

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

**8. COMMUNICATIONS FROM SUPERVISORS:**

**SNOWBERGER PROPERTY**  
**SCHENCK** Chairman Schenck stated he asked Dori Bowders to send an email out to the Board referencing a question to determine whether there is any interest regarding the Snowberger home purchased a couple of years ago. He asked whether that home should be made available to any victims of the hurricane. The response sounded pretty unanimous; however, they need to figure out a way to make that happen.

**DVORYAK** Mr. Dvoryak requested that the Board be very sure to understand all the ramifications of any type of landlord/tenant situation, particularly because the Township has no experience in this arena.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 8, 2005  
APPROVED**

- SCHENCK** Chairman Schenck stated that he had briefly discussed the subject with Mr. Holman, who is reviewing all those issues.
- HOLMAN** Mr. Holman responded that the insurance issues had been addressed. There is a survey that the Township will fill in and submit, and a standard agreement will be provided by The United Way Housing Division for review by Solicitor Rausch.
- SCHENCK** Chairman Schenck agreed with Mr. Dvoryak's points. The Township is not a typical landlord. There are other issues, which will have to be clarified.
- DVORYAK** Mr. Dvoryak commented that, as an example, who will provide the screening to make sure no convicted drug traffickers will be placed there. Does the United Way Agency do that, or does the Township do that screening.
- HOLMAN** Mr. Holman stated that he could not address that specific issue until he reviews the agreement with the United Way. The survey will be completed; the Agreement will be provided, and then they will work with the United Way as to what will be done for the victims and/or people in need of housing. There's also the question of the term for the use of the house.
- GURRERI** Mr. Gurreri appreciated Chairman Schenck's bringing the subject to the Board's attention. He thought it was a good thing to do; however, he commented on the necessity for having a contract and renter's insurance.
- HOLMAN** Mr. Holman noted that what was needed from the Board was approval for using the house in that fashion. Then the liability and other issues will be reviewed, and he will bring that information back to the Board.
- SCHENCK** Chairman Schenck stated that he thought it was fair to say the Board was in favor as long as those issues did not become overwhelming and taking the Township to an undesirable place.
- HOLMAN** Mr. Holman responded that he would complete the survey form.
- SCHENCK** **DCED Grant**  
Chairman Schenck reported that the missing document on the DCED Grant was received at his home addressed to Old Church Road. He stated that he does not live on Old Church Road, and he imagined it had been floating around in the mail system. The Township had been awarded \$30,000 and no one knew about it.
- HOLMAN** Mr. Holman noted that it was found on the website; however, no documentation had been received.
- SCHENCK** Chairman Schenck noted that staff should advise DCED of his correct address.

**8. SOLICITOR'S REPORT:**

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

**9. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman requested the Board authorize the Chairman to sign a letter supporting a grant request by the York Rail Trail Authority for the northern end of the Rail Trail. A large portion of it runs along Codorus Creek and into Springettsbury Township. This request was received from the Rail Trail Authority and is an excellent program.

**Consensus of the Board was agreement to support the Rail Trail grant request.**

**SCHENCK** Chairman Schenck reported that Mr. Holman had provided some budget information. He asked whether the Board was interested in discussing how to move through the budget process this year.

**HOLMAN** Mr. Holman stated that this was the first time he had sent something out this early on the budget for the Board to review. What he had provided was his thoughts on what he thought the Board was thinking. He'd like to get their ideas back.

**SCHENCK** Chairman Schenck stated he was more interested in the process than the numbers.

**BISHOP** Mr. Bishop stated that he had been critical of the process in the past, and he thought it would be helpful for the Board and the Manager to discuss it. One of the issues is how the Budget Work Sessions are scheduled and/or structured. He thought it would be feasible to discuss it 15, 20 minutes prior to the next Work Session.

**Consensus was to meet for budget process discussions on September 22, 2005 at 6:30 p.m.**

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

**A. Ordinance No. 05-08- - Adoption of Code of Ordinances**

**SCHENCK** Chairman Schenck indicated that Ordinance 05-08 is for the Adoption of the Code of Ordinances and would not change anything, but just adopt the new codified version. He asked Mr. Holman for clarification.

**HOLMAN** Mr. Holman responded that he was correct. However, the Board had been advised that there is a "no parking" restriction for Concord Road and Concord Road Extension, which had been planned as part of the rail crossing. That would be the only change.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE NO. 05-08 – ADOPTION OF CODE OF ORDINANCES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-62 – Additional Street Lights on Winterberry Drive in Pleasantrees Development, Phase II**

**SCHENCK** Chairman Schenck indicated Resolution 05-62 covered a standard street light agreement for Winterberry Drive.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 05-62, ADDITIONAL STREET LIGHTS ON WINTERBERRY DRIVE IN PLEASANTREES DEVELOPMENT, PHASE II. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-63 – Appointment of Alternate Zoning Hearing Board Member**

**SCHENCK** Chairman Schenck indicated that Resolution 05-63 appoints an alternate member to the Springettsbury Zoning Hearing Board. Mr. Richard Campbell had been interviewed.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-63 APPOINTMENT OF ALTERNATE ZONING HEARING BOARD MEMBER, RICHARD M. CAMPBELL. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri stated that he was an excellent choice.

**BISHOP** Mr. Bishop suggested that staff communicate with the Zoning Hearing Board that their new alternate member has a previous engagement in October and won't be there at their first meeting.

**HOLMAN** Mr. Holman stated that he was aware of that and Mr. Baugh will make them aware of it also.

**D. Authorization to Enter into Agreement with CB York PA, LLC in Lieu of Improvements for Charlie Brown's Restaurant (Pargo's)**

**SCHENCK** Chairman Schenck indicated that the Township would enter into an agreement with CB York, LLC in an agreement for them to contribute \$7500 for traffic improvements.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO AN AGREEMENT WITH CB YORK, PA. LLC IN LIEU OF IMPROVEMENTS OF CHARLIE BROWN'S RESTAURANT (PARGO'S). MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Advertise Ordinance Amending Tax Collection Ordinance for Earned Income Tax**

**SCHENCK** Chairman Schenck stated that authorization is being requested to advertise changing the tax collection ordinance for earned income tax. This is something the York Area Tax Bureau wants to do.

**HOLMAN** Mr. Holman indicated that most of the other townships had advertised this one and no revenue will be lost. It simply exempts Maryland residents, which previously had been reimbursed the funds. This will allow the collection of fees if there is an insufficient fund check to charge a penalty.

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE AN ORDINANCE AMENDING THE TAX COLLECTION ORDINANCE FOR THE EARNED INCOME TAX. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**F. Board of Supervisors Regular Meeting – August 25, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING AUGUST 25, 2005 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**Cops-In-School**

**BOWMAN** Mr. Bowman asked about the time period the Township has to accept the grant and hire the personnel regarding the Cops In Schools Grant.

**ESHBACH** Chief Eshbach responded that the Township has until the 14<sup>th</sup> of November to accept the grant.

**HOLMAN** Mr. Holman added that there is a 90-day time frame for acceptance to the grant, and he could sign off for acceptance of the grant. The Board will determine when the personnel would be hired. The item is included in the budgetary process. Mr. Holman stated that he would be meeting with Dr. Estep as the school indicated they would commit to a portion of the funds towards the hiring of an officer. He wanted to have Solicitor Rausch draw up an agreement. The Township must maintain the person for three years of the grant plus one budget cycle for one year after the end of the contribution from the grant. The Township must incur the cost and then submit for reimbursement.

**BISHOP** Mr. Bishop noted that accepting the grant does not require the Township to take the money.

**HOLMAN** Mr. Holman responded that it does not.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 8, 2005  
APPROVED**

- ESHBACH** Chief Eshbach indicated that the Township has 90 days from the date that the grant is postmarked to send in a letter of acceptance. The officers must be hired after the first of July, 2005. The grant would require acceptance of two additional officers.
- HOLMAN** Mr. Holman indicated that he had handled several other Cops-In-Schools grants, and they are not complicated.
- BOWMAN** Mr. Bowman asked whether there was a choice of hiring one or two.
- HOLMAN** Mr. Holman responded that it could be one or two. If only one would be hired, then only one draw or reimbursement could be done for one officer.
- BOWMAN** Mr. Bowman asked about the York Suburban School.
- HOLMAN** Mr. Holman responded that he will be meeting with Dr. Hartman of York Suburban. He added that it must be reviewed with a long-term approach.
- BISHOP** Mr. Bishop stated that generally he thought that hiring police officers because grants are available would be a big mistake. He added that he did not mean it isn't a great idea.
- ESHBACH** Chief Eshbach stated he would be glad to give the Board a presentation explaining how the grant was written and how it works. The grant request was for two officers because there are two school districts. One officer could not possibly do the work to be accomplished. There is a cost to that school district, a partnership between Springettsbury Township, York Suburban School District and Central York School District.
- HOLMAN** Mr. Holman indicated he wanted to discuss a shared cost with Central and York Suburban. There had been indication of that some time ago.
- BOWMAN** Mr. Bowman asked whether the grants were written for both schools.
- HOLMAN** Mr. Holman responded that they are. If one officer is hired, then the percentage or portion of the grant is utilized. That officer will do what he has to do to increase over what is currently being provided in the schools.
- GURRERI** Mr. Gurreri noted that York Suburban also has another police department in Spring Garden Township so that might be covered.
- HOLMAN** Mr. Holman added that Central has Northern Regional Police, if it were viewed in that way.
- SCHENCK** Chairman Schenck stated that what had been discussed sounded like a budget process issue.

**HOLMAN** Mr. Holman indicated that the grant itself is relatively simple for a Federal grant, but realistically they have simplified the Federal grants for Cops In Schools and Cops Universal since they first started coming out. Now it's a matter of where the Board wants to go. One thing that is important is our Senators and Congressmen were contacted in cooperation with Central School to see about moving this grant up on the priority list because it was sitting there for quite some time. Teri Markley did an excellent job of pushing this along. Mr. Holman encouraged the Board to review the budget information he had provided.

**GURRERI** **Sign Ordinance**  
Mr. Gurreri mentioned that he had met with Jim Baugh and Erika Belen concerning the sign ordinance and they explained it to him. He did not agree with everything, but he understood it a little better, and they opened his eyes to a few things for the future, some new things out there, and he appreciate their time and thanked them.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 10 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**SEPTEMBER 8, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, September 8, 2005 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  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
John Luciani, First Capital Engineering  
Charles Rausch, Solicitor  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:45 p.m. He stated the purpose of the Public Hearing, required by the MPC, was to take public comment on a proposed amendment to the Zoning Ordinance.

**HOLMAN** Mr. Holman stated that the Township was in the process of re-adopting the Code of Ordinances. The Public Hearing is to review the ordinance because it included a land use ordinance. There are no changes with the exception of a few typos in the land use. He added that it is not part of the proposed Sign Ordinance, which Public Hearing is to be held October 8<sup>th</sup>.

**RAUSCH** Solicitor Rausch added that, when the Code was revised during previous Public Hearings, certain definitions of the signs had been omitted. The wording will revert back to the original definitions, as well as clean up other language. Those definitions will then be revised and become a little more comprehensive.

**SCHENCK** Chairman Schenck asked for public comment. Hearing none, he asked for comments or questions from the Board. Hearing none he asked for any further comment.

**RAUSCH** Solicitor Rausch stated for the record that the Public Hearing had been properly advertised.

**SCHENCK** Chairman Schenck adjourned the Public Hearing at 6:50 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**SEPTEMBER 8, 2005  
APPROVED**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 25, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 25, 2005 at 7:00 p.m. in the pavilion in Springettsbury Township Park located at 1501 Mt. Zion Road, York, PA.

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

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Andrew Stern, Interim Fire Chief  
David Wendel, Director of Parks and Recreation  
Teri Markley, Public Relations and Grants  
Charlie Lauer, Director of Public Works  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He welcomed all the attendees to the first meeting in the pavilion. He asked Mr. Gurreri to lead the opening ceremony.

**A. Opening Ceremony**

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

**B. Loyalty Oath – David L. Kane, Fire Fighter**

**SCHENCK** Chairman Schenck noted that Fire Fighter Kane had been called out to a fire call. Item B was postponed until later on the Agenda.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck reported that no Executive Sessions had been held since the last meeting and none were scheduled for this evening.

**3. COMMUNICATION FROM CITIZENS:**

- SCHENCK** Chairman Schenck asked that the speakers use the microphone and state their name and address for the record.
- FULTZ** Don Fultz, 3601 Ridgewood Road, asked for an adjustment in the timing, 30 seconds, to the traffic light heading east from Market Street onto Mt. Zion Road. He stated that when making a left turn only 4 cars could get through on a green light.
- SCHENCK** Chairman Schenck stated that he thought some adjustment had been made there in the recent past and that it was an item that the Township could implement.
- LUCIANI** Mr. Luciani confirmed that some re-timing had been done. He noted that it is a synchronized system from Market to Pleasant Valley. If it is a minor change Milt's Repair Service will make the modification; if it is major the signal permit will have to be revised.
- WHITSEL** Bob Whitsel of 455 Meridian Lane, discussed the Kingston Street traffic. He noted it is becoming more and more severe. He asked the Board to implement speed bumps or rumble strips to slow the traffic.
- UHLER** Mr. John Uhler, South Kershaw Street, congratulated the Board for the recent award from PSATS regarding the traffic calming in the independent district of East York. He reminded the Board that it was the residents of South Kershaw Street who were the catalyst for creating the request for a study. The following is a summary of his remarks:
- Independent engineering firm, TRG studied the area and made a variety of recommendations as solutions dealing with traffic in Old East York.
  - Average number of cars on Eastern Boulevard eastbound: 4200, westbound: 4300 daily.
  - Kershaw is a 26 foot street with parking on both sides.
  - Average number of cars on Kershaw 5/17 – 568; 5/18 – 610, 5/19 – 557
  - No traffic study done Friday through Sunday (estimated 700).
  - South Kershaw residents Zeiders, Perlman and others solicited opinions of traffic calming resulting in 75% approval to commence issues identified by TRG.
  - Relocation of stop sign at Eastern Boulevard, as recommended by TRG, has not been implemented. PennDot Code Subsection D cited.
  - Eastern Boulevard Friday and Saturday – 4000 cars pass through with a stop sign. No speed issue exists.
  - Kershaw has become a byway; street cannot handle the traffic volume. The non-supply street should be controlled by a stop sign as required by the Code. McCullough Decision cited.

- GURRERI** Mr. Gurreri asked Mr. Uhler what it would take to solve the problem.
- UHLER** Mr. Uhler responded that the stop sign must be relocated to Kershaw Street and allow Eastern Boulevard to be the throughway. The regulations support it with Subsection D.
- GURRERI** Mr. Gurreri noted that the County had studied Eastern Boulevard and placed a stop sign there. He noted that if a stop sign would be placed on Kershaw there will be problems that surface in other areas.
- UHLER** Mr. Uhler urged the Board to push the County to follow through with Subsection D of the regulations. He asked the Board to review the initial TRG study recommendations.
- GURRERI** Mr. Gurreri asked Solicitor Rausch what would be wrong with putting the sign on Kershaw Street and taking it off Eastern Boulevard.
- RAUSCH** Solicitor Rausch responded that, in order to do that, the Township must do an engineering study. To the extent that a study could be obtained from the County to support that, it could be done. He understood the argument; however, the Vehicle Code indicated that the Township could not do that.
- UHLER** Mr. Uhler indicated that the Board has the authority of an approved traffic engineer in accordance with the Vehicle Code. He added that it was important that the Township not just simply sit by and say it's someone else's responsibility. Township residents are at risk.
- GURRERI** Mr. Gurreri re-stated that he was saying that it is a hazard the way it is.
- UHLER** Mr. Uhler responded yes, and in addition, it is not in compliance with the spirit of Section D of the Engineering and Traffic Study, Department of Transportation Title 67 Pennsylvania Code, Chapter 201.
- GURRERI** Mr. Gurreri commented that the Board would like to help the residents.
- SCHENCK** Chairman Schenck stated that the Board had been provided with a packet of information just prior to the meeting, which they had not had an opportunity to review. It contained all the background data that had been collected related to this concern including the latest request made to the County to move the stop sign, which was rejected. The Board will review the documentation.

- ESHBACH** Chief Eshbach reported that traffic surveys are done based on PennDot's recommendation Tuesday through Thursday. The Board did not choose the days for the survey.
- BISHOP** Mr. Bishop commented that he had been on the Board for 12 years. He agreed that it is the Board's responsibility to determine a solution. That had not been done and is needed. They had reviewed the problem to some extent and some few things had been done. They have all the resources provided by the staff to go about reviewing the matter in a deliberate fashion to figure out what the solution is and deal with the issues of implementation.
- FULTZ** Don Fultz added that he thought a four-way stop sign there would solve the entire problem. He recommended to pursue that again.
- WHITSEL** Mr. Bob Whitsel added that he walked through the area nearly every evening, and he agreed with Mr. Uhler's comments. However, his concern related to Kingston, which has two schools, a church and a church school along with very heavy traffic. He had brought the issue to the Board's attention; however, he had not received any response. He wondered whether any thought had been given to Kingston.
- SCHENCK** Chairman Schenck responded that Kingston Road had been on the Board's list for years.
- BISHOP** Mr. Bishop added that one of the things relating to Kingston Road was that it introduced an all-encompassing problem in Old East York, along with traffic calming studies recommended. The Board wanted to learn how to do this in order to do it right and then apply that knowledge to other areas, and Kingston is one of those top ones on that list.
- SCHENCK** Chairman Schenck noted that all of the information could be provided to the residents if they desired to receive copies.
- UHLER** Mr. Uhler stated that the Board could be assured that the neighbors of South Kershaw Street, as they have been involved from the very outset in the year 2000, will continue to be supportive of any and all Township efforts in this regard. And they recognize that it does require going to the County and reviewing all of the studies.
- BOWMAN** Mr. Bowman commented that he had driven through that area many times until he realized how much anger it caused. He admitted he drove that way just to avoid the stop sign at Eastern Boulevard. He added that he found the speed humps extremely annoying and did not think it would keep the traffic counts down.

**RAUSCH** Solicitor Rausch asked whether the residents of Kershaw could tolerate the street becoming one way north. It could reduce the volume in half.

**UHLER** Mr. Uhler responded that it would create a throughway out to Third Avenue. He could not see that as a solution and indicated it might attract even more traffic.

**GURRERI** Mr. Gurreri noted that all of the documentation they had received earlier was information they received before. He knew what was in the information. He was ready to make a decision.

**UHLER** Mr. Uhler indicated that, in order to change directional traffic, the Township must obtain the approval of the County through the studies.

**RAUSCH** Solicitor Rausch noted that he was not sure about the requirement as it related to a simple traffic control device.

**SCHENCK** Chairman Schenck stated that back in 2002 the Board asked for a four-way stop sign as a No. 1 preference, which the County rejected. He asked what could be done differently in order to have the County provide a different result.

**ESHBACH** Chief Eshbach responded that whether they do or don't look at it differently, the only thing that can be done is request that they review it again and see what the determination will be.

**SCHENCK** Chairman Schenck stated that he was reluctant to give up the stop sign on Eastern Boulevard. Even though stop signs are not to be used for speed control, they do control speed.

**ESHBACH** Chief Eshbach recommended that there are a number of other intersections to be crossed before coming to the first stop sign at Third Avenue. Perhaps asking for a four-way stop sign at one of the other intersections would help since it would be a competing stop.

**SCHENCK** Chairman Schenck stated that he liked the idea of a stop sign at the end of Kershaw. He asked how the Board felt about a four-way stop there, even though it had been previously requested.

**GURRERI** Mr. Gurreri responded that he was in favor of a four-way stop.

**BISHOP** Mr. Bishop stated that he had no problem with a four-way stop; however, he had a problem with making a decision during tonight's meeting. One of the reasons the study had been implemented was because of the concern about doing something causing unintended consequences somewhere else. He recommended that the Board needed to have a plan to figure out what

to do to provide safety and to sit down carefully and deliberately to find a solution.

**SCHENCK** Chairman Schenck noted that the original study suggested a traffic circle and relocating the signs. He cautioned that there would be unintended consequences on other streets.

**GURRERI** Mr. Gurreri asked whether the Board liked the one way suggestion.

**BISHOP** Mr. Bishop responded that what Chairman Schenck was saying was that there would be no decision at this time in order to take a careful and deliberate review of the entire matter. Mr. Bishop stated that there are at least 10 different things to pursue. Counts and studies had been done, but there had been no implementation. He reiterated his suggestion that the Board review the whole picture in a careful, deliberate fashion. He stated it would be much more valuable to have some kind of a work session with the Manager and Engineer and really go through and make a list of what all the different options might be and rank them and figure out a way to go.

**BOWMAN** Mr. Bowman stated that the issue should not be put off any longer. It must be done.

**BISHOP** Mr. Bishop suggested to schedule a time for a review.

**LUCIANI** Mr. Luciani indicated that a drawing could be made available of every stop sign on all of the streets laid out. It would be helpful as the Board contemplates shifts and changes.

**SCHENCK** Chairman Schenck noted that solving these kinds of issues at a normal public meeting had never proved fruitful. He asked whether the Board would agree to schedule a work session for this topic.

**DVORYAK** Mr. Dvoryak agreed that a work session would be good from his perspective. He had not been on the Board the last time the County looked at that and he had dozens of questions. The Board wants to get a solution that works for everybody in the Township. He did not know the right answer, nor was he sure what the act of putting a stop sign at South Kershaw would mean in terms of additional traffic counts and how it would affect neighboring streets. He wanted to learn all these things and thought that going through a work session would provide that.

**ZEIDERS** Mr. Stan Zeiders, South Kershaw and Eastern Boulevard, stated that five years ago the Township hired TRG. There were beautiful drawings of a traffic circle at Kershaw and Keesey. There was some objection about snow removal. He and Mr. Perlman spent a week getting signatures;

everybody agreed. It has been a long time. He encouraged the Board to study the photographs and consider the traffic circle which would alleviate the four-way stop issue.

**SCHENCK** Chairman Schenck asked for the Board's desire.

**Consensus was to hold a Work Session Wednesday, September 14, 2005 at 7 p.m.**

**SCHENCK** Chairman Schenck stated that it will be a work session of the Board, a public meeting, one topic. All the material will be resurrected, and the meeting will be advertised. If anyone wants any of the information ahead of time let us know.

**UHLER** Mr. Uhler indicated that Mr. Perlman will probably try to get the information. He thanked the Board for the courtesies.

**B. Loyalty Oath – David L. Kane, Fire Fighter**

**SCHENCK** Chairman Schenck noted that the new Fire Fighter had returned from the fire call.

**STERN** Mr. Stern introduced David Kane, who joined the Fire Department on Monday, August 22, 2005. He provided Mr. Kane's background and experience and welcomed him to the Township.

**SCHENCK** Chairman Schenck administered the Loyalty Oath and welcomed him to Springettsbury Township

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided several updates in addition to his written report. He reported that the contractor had been given his Notice to Proceed and is getting underway with the Eden Road project. The permitting had come into place. All backup from other agencies had been received. The Contractor agreed to complete that portion of his work on Eden Road in order that Public Works could get it repaved with grant money. A similar project is being done with Harley-Davidson at the same time and they are coordinating the permitting process.

The BNR Study is completed. In addition, a companion study was done in order to get all the residue out of the tanks before filling them up with the BNR equipment. That will be provided to Mr. Hodgkinson for his review. They continue to review BNR technologies as new ones continue to be

made available. DEP is under pressure to get the BNR Strategy done by 2010. Mr. Schober will keep the Board advised as to its implementation.

Barwood Road Sewer is in a permitting phase. Surveys are done; wet lands delineated. There are certain permitting items to move through toward getting diversity letters again from Pennsylvania Historic Museum Commission, etc. He will keep the Board informed.

The majority of the work on the Long Range Sewer Planning has been in updating the sewer maps. Jim Crooks and his staff have been painstakingly going through all those drawings and marking them up. That will soon be completed and a final report provided to the Board.

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

**LUCIANI** Mr. Luciani provided several updates. Haines Road Median bids had been reviewed. Only one bid was received, which was well over budget. That bid will be sent back out for bids giving the contractors until April to complete that work with the hope that it will attract more bidders. Some of the line items that were bid seemed somewhat excessive and will be removed to trim the cost. Mr. Luciani thought that the contractors were too busy to really attack the project and by extending the time frame it might help. In addition to that, handicapped ramps were added. The numbers were excessive, but that wasn't really part of the original scope.

Mt. Zion and Sherman temporary signals had been turned on. Staff had requested information about emergency pre-emption which, in the long-term signals or the permanent project, certainly will be implemented. It was his understanding that emergency pre-emption, which allows the fire trucks to go through the signals, is part of the system.

The signal at Mundis and Sheridan Road is in the design phase. Comments were obtained from PennDot because of additional sidewalk areas along S&A homes, which were funded by them. Some HOP modifications are being worked through.

**BISHOP** Mr. Bishop asked when the work would be done if the bids go out in September.

**LUCIANI** Mr. Luciani responded that it was possible the signal could be operational by Christmas time.

**BISHOP** Mr. Bishop added that the rest could be completed by spring.

**LUCIANI** Mr. Luciani responded that, with final paving, he was correct.

**LUCIANI** Mr. Luciani reported that he met with Mr. Holman and Suburban School District about the Safe Routes to Schools and provided them with an exhibit. Teri Markley is working on the next grant application for that project. He thought it was a positive meeting.

**HOLMAN** Mr. Holman added that one area discussed was the light at Seventh and Haines to coordinate with the Safe Routes to School application if the Board so desired.

**LUCIANI** Mr. Luciani added that the Haines Road study recommended a signal either at Cambridge or Seventh Avenue and Haines. It was nixed at Cambridge to allow the flow of traffic on both sides of the roadway. The thought was that perhaps this could be made a part of this Safe Routes to School application. Many of the improvements that were in that original budget estimate were curb and sidewalk out along Haines and in through Seventh. The thinking was to try to get some of that money funded and eventually if the decision was made to implement that signal, the roadway improvements would be set up for that signal to reduce the total cost to the Township. It was an effort on which they would like to receive feedback if there's any desire to re-evaluate the need for that signal.

Mr. Luciani reported that the Board will be reviewing a Land Development Plan from Members First Credit Union. He had provided the Board an exhibit that the County had given to him with the comment that the Members First plan requested a signal at Mt. Rose Avenue and Greenspring, which is too close to Haines Road; therefore, the signal would not be warranted. During staff discussions with Members First people it was suggested to put in a median going from Haines extending beyond Greenspring. Motorists who leave the apartment complex who want to access I-83 would have to go down through the Gabriel shopping center, come out to Haines Road and turn left at that light, which would avoid some of the conflict. Accident history at Greenspring and Mt. Rose indicated five reportable accidents in five years, which was not significant. PennDot is considering a median on Mt. Rose Avenue as well. The Township is working with the developer toward an agreement to partially or wholly fund a median, which would make the area safer. Mr. Luciani added that the Haines Road median always had been in the master plan. With the Board's approval Mr. Luciani thought it was a viable option with potential for having it budgeted.

**BOWMAN** Mr. Bowman commented about the five accidents in five years and indicated he probably had seen all five of them.

**LUCIANI** Mr. Luciani responded that was what the traffic studies revealed. They were reportable accidents, which meant the automobiles were towed from the scene or there were injuries. He could provide additional information

regarding the unreportable accidents to determine how many others there had been.

**BOWMAN** Mr. Bowman asked about the affect a median would have with the impact of unintended consequences.

**LUCIANI** Mr. Luciani responded that the median would impact the area of Gabriel Brothers, as well as the traffic light at Haines and Mt. Rose. It might slow the traffic by another 10 seconds, which neither he nor the developer's traffic consultant thought would be significant. Mr. Luciani stated that Mr. Holman would be negotiating with Members First. He would like some feedback toward implementing this measure to begin the funding.

**BISHOP** Mr. Bishop commented that it was part of the long-term plan in an area where improvement is needed.

**Consensus was agreement to direct the staff to proceed with the suggested action.**

**LUCIANI** Mr. Luciani stated that adjoining businesses will be notified with an attempt to implement support.

**DVORYAK** Mr. Dvoryak asked for information concerning Route 30 at Sherman with the 40,000 square foot project. He asked whether it was in addition to the existing warehouse.

**LUCIANI** Mr. Luciani responded that would be a new facility. Kinsley reconfigured a number of buildings, removed some paving and will build a 40,000 square foot building. That plan will probably be brought to the Board in October as a brand new structure facing Sherman but seen from Route 30 in that corner.

**5. ACCOUNTS PAYABLE:**

- A. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Application for Payment No. 4 in the amount of \$58,159.81 (final payment).**
- B. Robert P. Lepley – Springettsbury Township Park Phase II – Application for Payment No. 3 in the amount of \$81,374.22 (final payment).**
- C. Regular Payables as Detailed in the Payable Listing of August 25, 2005.**

**MR. GURRERI MOVED TO APPROVE ITEMS A, B, AND C AS PRESENTED.  
MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Renew Municipal Winter Agreement with PennDot for 2005-2006.**

**SCHENCK** Chairman Schenck indicated that item A covered the renewal of the PennDot contract to have the Township plow roads. He asked Mr. Lauer if he agreed with the item.

**LAUER** Mr. Lauer responded he agreed.

**HOLMAN** Mr. Holman added that there had been no change to the number of roads included in the contract.

**MR. GURRERI MOVED TO AUTHORIZE TO RENEW MUNICIPAL WINTER AGREEMENT WITH PENNDOT FOR 2005-2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter into Agreement with The ARRO Group, Inc. for Inspection Contract**

**SCHENCK** Chairman Schenck stated that item B covered a contract for an hourly rate as opposed to a commitment of a level of service provided by The ARRO Group.

**BAUGH** Mr. Baugh added that it can be terminated in 30 days by either party.

**MR. DVORYAK MOVED TO GRANT APPROVAL TO ENTER INTO AGREEMENT WITH THE ARRO GROUP, INC. FOR INSPECTION CONTRACTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were none for discussion.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri thanked Mr. Holman for putting Dori Bowders in charge while he was away. Two people called him on Friday before Mr. Holman came back and Dori requested that the heads of departments call the people and call Mr. Gurreri back. Also Jim Baugh went out on a Saturday. Mr. Gurreri appreciated that kind of wonderful response.

**HOLMAN** Mr. Holman responded that he had been provided with good people.

**BISHOP** Mr. Bishop reminded everyone of the Lions Club Chicken Bar-B-Q during Saturday In The Park. All proceeds will benefit the Springettsbury Park.

**DVORYAK** Mr. Dvoryak reported that following the last meeting and upon the affirmative vote on the methadone clinic, he met with resident Todd Largent, who lives on Pleasant Acres Road. Mr. Largent expressed that he had not articulated himself well during the meeting. Mr. Dvoryak listened to him and they had a nice conversation. Mr. Largent does understand that the Board at this point cannot reverse that decision unless there was material misrepresentation made. He was actually looking forward to the formal written response that will be issued at some point.

**9. Solicitor's Report**

**RAUSCH** Solicitor Rausch indicated he would like to have the Board approval signatures on the Findings of Fact Conclusions of Law on the Methadone Clinic. He asked that the Chairman sign those to make it a part of the official record. He asked that the record reflect that the Board approved the findings and conclusions.

**SCHENCK** Chairman Schenck stated for clarification that a document was received of the Findings of Fact for that hearing.

**Consensus of the Board was agreement to go ahead with signatures.**

**10. MANAGER'S REPORT:**

**Cops in School**

**HOLMAN** Mr. Holman reported that the Township was awarded a \$250,000 grant for Cops in School over a three-year period. He thanked Teri Markley and Chief Eshbach, as well as everyone who worked on that, especially the Senators and Representatives. He had just finished reading it today in preparation of a summary for the Board. They can accept the grant, and he will come back to the Board about manning and how that will work. A meeting will be held with Central with Dr. Estep and the Chief for review. The School offered to share in the cost of the Cops in School officers, and they want to meet to formalize what that will be. A lot of work went into this project.

**SCHENCK** Chairman Schenck asked whether that grant would require the Township to hire new personnel.

**HOLMAN** Mr. Holman responded that during the time of the grant the manning level must be met plus the officer for the term of the grant. The grant is for two officers, which the Township will have to maintain for one year after the term of the grant. After that requirement of maintaining that manning level will not be required.

**ESHBACH** Chief Eshbach re-stated that one budget cycle must be maintained beyond the termination of the grant, so it is a four-year commitment. He added that new personnel would have to be hired after July 1, 2005, which was the award date of the grant. The personnel must come on board after that date.

**SCHENCK** Chairman Schenck asked about the sliding scale.

**HOLMAN** Mr. Holman responded that it is 75% the first year; 50% the second; 25% the third year so there is some budget impact.

**Pistol Range**

**HOLMAN** Mr. Holman reported that periodically they had been working on upgrading the Pistol Range, which is in a 100 Year Flood Plane. He had received a proposal from Buchar-Horn to do the engineering permits, which cost amounted to \$21,000 for professional services. Additionally \$7,500 is available from the County.

**Pension Fund Meetings**

**BISHOP** Mr. Bishop noted that one of the recommendations in the Manager's Report was that the quarterly performance review meetings for the two pension funds be moved to evenings before the regular meetings. He commented that a lot of things tend to be crammed in prior to regular meetings and are rushed through. He was not sure what was driving the issue.

**HOLMAN** Mr. Holman responded that it was a matter of trying to get all the Board in and having a Quorum.

**BISHOP** Mr. Bishop asked whether all of the Board members are needed.

**HOLMAN** Mr. Holman responded that he needed a Quorum at every meeting. Pension meetings tend to be not too long, about a half hour each.

**GURRERI** Mr. Gurreri noted that the pension meetings had been running at least one hour. He thought it would be difficult to squeeze it in before a regular meeting.

**Haines Road Projects**

**BISHOP** Mr. Bishop wanted to clarify the projects on Haines Road. In the Manager's report there seemed to be a little bit of melding of the project with the median at Weis Market with the overall Haines Road Study issue. Mr. Bishop wanted to keep that as very separate projects. The median project is one that is moving on its own and is a separate thing. Four years ago \$100,000 was spent to study that whole corridor from Route 30 to Kmart with the idea of gradually doing something to improve it. So far

two small things had been done which didn't have a lot of impact. He stated that the Board needed to be taking action on some of those areas.

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

**A. Authorization to Advertise Adoption of Code of Ordinances**

**SCHENCK** Chairman Schenck indicated that the document requested permission to advertise the Code of Ordinances. This goes along with the new Codification.

**HOLMAN** Mr. Holman noted that the new Codification is on the website.

**MR. GURRERI MOVED TO AUTHORIZE FOR ADVERTISEMENT THE ADOPTION OF CODE OF ORDINANCES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise Ordinance re: Stoneridge Road Right-of-Way Abandonment**

**GURRERI** Mr. Gurreri noted that one of the residents had been very upset about the road closure. It didn't seem right to close one road before the other one was opened.

**BAUGH** Mr. Baugh responded that it had to be destroyed before the new road could be opened.

**HOLMAN** Mr. Holman added that access was maintained to all properties.

**MR. DVORYAK MOVED TO APPROVE ADVERTISEMENT ORDINANCE RE: STONERIDGE ROAD RIGHT-OF-WAY ABANDONMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise Ordinance re: Minor Subdivision Amendment to the Subdivision and Land Development Ordinance.**

**HOLMAN** Mr. Holman stated that item C encompassed minor subdivisions and simplifies the process for individuals requesting simple subdivisions with no building plans. The ordinance meet all the MPC requirements for those wanting to establish small subdivisions.

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE RE: MINOR SUBDIVISION AMENDMENT TO THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise Amendment to Sign Ordinance**

- SCHENCK** Chairman Schenck stated that he had met with Mr. Baugh and the staff. He had not followed up to determine whether there were additional changes. He would favor advertising.
- BAUGH** Mr. Baugh noted that there had been a few changes, and he would email the Board those highlighted areas.
- BOWMAN** Mr. Bowman asked for clarification on the maximum height of a free-standing sign. He understood it would be 15 feet.
- BAUGH** Mr. Baugh responded that he was correct.
- GURRERI** Mr. Gurreri noted that he had not had a chance to meet with Mr. Baugh and would not be ready to make any decisions.
- SCHENCK** Chairman Schenck asked whether the Board wanted to go ahead and advertise or hold action until a later time.
- DVORYAK** Mr. Dvoryak asked whether there was a down side to waiting until the next meeting to provide authorization to advertise.
- SCHENCK** Chairman Schenck stated that once it is advertised then time is permitted for changes.
- BISHOP** Mr. Bishop commented that if the Board does not advertise it, it cannot be adopted, but if the advertising is done, the Board can move any direction.
- SCHENCK** Chairman Schenck stated that it related to zoning, so it would require a Public Hearing.
- RAUSCH** Solicitor Rausch stated that the Board would have 60 days from the date of advertising the ordinance for adoption. On September 8<sup>th</sup> a new Code of Ordinances will be adopted. Nothing will be adopted until after the 8<sup>th</sup>. This would be for advertisement for the second meeting in September.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISING THE SIGN ORDINANCE. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. GURRERI AND MR. BOWMAN VOTED AGAINST; MR. BISHOP, MR. SCHENCK AND MR. DVORYAK VOTED IN FAVOR.**

**E. Resolution No.05-61 – Additional Streetlights in the Orchard Hills Development, Phase IV.**

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 05-61, STREET LIGHTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Act 10 Public Hearing – June 23, 2005**

**MR. BISHOP MOVED FOR APPROVAL OF THE ACT 10 PUBLIC HEARING MEETING MINUTES FROM JUNE 23, 2005 AS AMENDED. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Regular Meeting – July 28, 2005**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JULY 28, 2005 AS AMENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

**DVORYAK** Mr. Dvoryak asked whether there had been any developments concerning the security situation at the fire station.

**HOLMAN** Mr. Holman stated that the volunteers will be having a meeting. Mr. Stern will be contacting all the volunteers.

**SCHENCK** Chairman Schenck offered to help.

**13. NEW BUSINESS:**

**A. Acknowledge Receipt of July 31, 2005 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE JULY 31, 2005 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of December 31, 2003 Liquid Fuels Tax Fund Audit Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF DECEMBER 31, 2003 LIQUID FUELS TAX FUND AUDIT REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. ADJOURNMENT:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 25, 2005  
APPROVED**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 28, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 28, 2005 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  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Chris Beauregard, Civil Engineer  
Dennis Crabill, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Teri Markley, Public Relations and Grants  
Mark Hodgkinson, Director of Wastewater Treatment  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman 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 offered a blessing and led the Pledge of Allegiance.

**B. Loyalty Oath – Patrolman Gregory Hadfield**

**SCHENCK** Chairman Schenck asked Mr. Bowman to administer the Loyalty Oath, along with Chief Eshbach.

**ESHBACH** Chief Eshbach introduced Patrolman Gregory Hadfield, who joined the Police Department on Tuesday, July 5, 2005. He provided his education and training background.

**BOWMAN** Mr. Bowman administered the Loyalty Oath to Mr. Hadfield.

**ESHBACH** Chief Eshbach presented Patrolman Hadfield with his Police Identification Badge #31.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. July 28, 2005 – 6:30 p.m. re: Police Contract**

**SCHENCK** Chairman Schenck reported that two Executive Sessions had been held, one with regard to a personnel issue, and the second with regard to a review of the tentative police labor contract with Springettsbury Township Police.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for citizen comments. He indicated that comments on the methadone clinic would likely be taken during Old Business on the Agenda. He asked that individuals would use the microphone and state name and address for the record.

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, presented several items for discussion.

- Temporary Signs – Assign someone to pick up the signs and fine the organization.
- Glades Auction – Assign someone to meet with the new owner to suggest a better job of cleaning up the property following auctions.
- Trucks speeding – Mt. Zion Road – Assign patrol cars to hand out tickets to speed violators.
- Public Works – Note of thanks for cleaning tar from his car following roadwork patching on his road for which he was not notified.

**SCHENCK** Chairman Schenck thanked Mr. Stuhre for his comments, which the Board always listened to and appreciated.

**BISHOP** Mr. Bishop noted the comment on temporary signs, which had been bothering him for some time. He strongly suggested that the message be sent to the Comprehensive Plan Committee concerning weekend signs, regulation and enforcement to incorporate that into the Zoning Ordinance.

**SCHENCK** Chairman Schenck commented that many of the signs had ended up in the back of his green pickup.

**BISHOP** Mr. Bishop noted that the firms are hiring people to stand and hold them so that they can't be removed.

**PERLMAN** Mr. Mike Perlman, 33 South Kershaw Street, came forward to discuss the intersection of Eastern Boulevard and Kershaw Street.

He noted that five years ago the same issue had been discussed: approximately 600 cars each day travel Kershaw Street. Eastern Boulevard is the major thoroughfare when compared to Kershaw. He and his neighbors are concerned because there are many children in the neighborhood and people fail to see the stop sign on Eastern Boulevard.

**SCHENCK** Chairman Schenck noted that the Board just had received a traffic report concerning the issue.

**HOLMAN** Mr. Holman added that he had sent a letter several days before, and Mr. Perlman had sent him a letter with regard to the traffic study and number of cars on Kershaw. A request had been denied by the County for that to be a 4-way stop, for which the Township has no authorization.

**PERLMAN** Mr. Perlman stated that an engineering study for speed calming devices indicated that a stop sign would be placed on Kershaw Street. The residents don't care how this is resolved as long as it is resolved. He cited a portion of the Pennsylvania Code concerning stop/yield at intersections. The information stated that a through highway may be designated to create an arterial or collector highway to encourage through traffic to use the highway or to provide preferential right of way at intersections to permit more continuous movement and less delay to the major flow of traffic. He noted that Kershaw Street with its six houses is not the major thoroughfare.

**GURRERI** Mr. Gurreri commented that the Police Department had conducted an additional survey and traffic count. The study showed there had been a 25% lower volume of cars on Eastern Boulevard since the Market Street entrance had been closed up. It also indicated 675 cars a day going past their homes on Kershaw Street.

**PERLMAN** Mr. Perlman stated that he was sure the figure would be about 600 cars a day as motorists are using the street to cut through and avoid the traffic signal at Market and Haines Road. In addition, they may continue through Fayfield, which is an area very densely populated with children and continue to Haines Road, or they turn left onto Eastern Boulevard and go to the Eastern Boulevard/Haines intersection, in order to avoid the traffic signal at Market Street.

**HOLMAN** Mr. Holman indicated he would ask the engineer to locate the 2002 traffic study in order to respond to Mr. Perlman's letter.

- PERLMAN** Mr. Perlman would like to review the engineering study that brought about the designation of Kershaw Street as the arterial highway for through traffic.
- HOLMAN** Mr. Holman stated he would be happy to meet with Mr. Perlman and the engineer.
- SCHENCK** Chairman Schenck stated that everything available would be shared with him. There was a County study of that intersection, which was the second study in less than five years, which is required before making any changes. The traffic calming recommendations were advisory but not long range. Moving forward if there are additional traffic calming measures needed, that plan would be implemented.
- PERLMAN** Mr. Perlman noted that the residents of that area were told that the traffic calming would be done in three stages. Stage 1 was Eastern at Market. Kershaw was Stage 3, and the residents recognized the importance of doing that first intersection. They had yielded to the betterment of the community, but to this day nothing had been done about their traffic situation.
- UHLER** John Uhler, South Kershaw Street, suggested that the traffic calming device on Market Street had aggravated the stress on South Kershaw Street. He cited several four-way stop signs which were effective. Eastern Boulevard is a throughway; Kershaw is not. Following the traffic calming effort, there had been an assurance to the residents of Kershaw that measures would be undertaken. That has not happened; however, there are neighbors on the South Kershaw block who would be more than willing to provide planters in the circular device to mitigate traffic. He encouraged the Board to review this issue seriously and put a stop sign on Kershaw Street before more serious accidents are experienced.
- BECK** Mr. Steve Beck, 21 South Kershaw Street, viewed the situation as a professional with a Masters in City Planning. Traffic is a detractor, and he admonished the Supervisors to take the approach to stop giving the preference to cars and the movement of traffic through a community and give the preference to people. He had observed motorists traveling on South Kershaw at 50, 60 miles an hour when he was walking his dog. He thought the work done at the Boulevard and Market, speed humps on Vernon and East Philadelphia had been effective; however, nothing had been done to address South Kershaw from Market to Eastern.

- YORK** Marcia York, 28 South Kershaw Street, stated that she looked at the issue from a parent's perspective. She has four children, age 13 and under. They spend a lot of time riding, biking, playing on that street. Their school bus stops on Eastern with its own set of dangerous issues. She felt that speeding was an issue, along with the inordinate amount of cars that go up and down that street. If there were signs cars would be forced to slow down. The residents had been assured of the installation of a circle, and she had volunteered to landscape or maintain it. She asked when something would be done to alleviate the situation.
- GURRERI** Mr. Gurreri indicated that the intersections at Stonewood Road and Pleasant Valley met the County criteria for a four-way stop. Kershaw had not met the criteria.
- UHLER** John Uhler responded that it could be further explored and suggested that there was nothing that renders illegal any of the signage that occurs in any of the city blocks, various alleyways and throughout the County of York. He would be more interested in what the criteria was which authorized the signage currently in place at Eastern and Kershaw.
- GURRERI** Mr. Gurreri agreed with his point but added that stop signs should not be used to slow traffic.
- UHLER** John Uhler indicated that a thoroughfare had been created on Kershaw Street, which was not designed for that.
- GURRERI** Mr. Gurreri noted that every time the Township changes a stop sign it moves the problem to another place. He understood the frustration of the residents and stated that the Board would like to do something.
- BECK** Mr. Beck added that it was not an issue of speed but rather the volume of traffic. He emphasized his point concerning giving preference to motorists rather than people.
- SCHENCK** Chairman Schenck indicated he appreciated all the comments. One point he would like to pursue is to be sure that the appropriate movement had been created. He indicated that the Township would review the matter and keep it on the Agenda.
- HOLMAN** Mr. Holman indicated he would respond to Mr. Perlman.

- ARVIN** Mr. Richard Arvin, on behalf of his sister, Mrs. Reverend Hoover of 3385 Deininger Road, reported that he had spoken with Mr. Holman about the water runoff into his sister's property. The problem had been on-going since November.
- HOLMAN** Mr. Holman responded that he had visited the property about three weeks ago with Mr. Baugh. Mr. Lauer and the engineer are taking action on that and reviewing a way to get that appropriately banked.
- BEAUREGARD** Mr. Beauregard added that a meeting was held with the contractor who is responsible for the construction of the sanitary sewer line. Two issues remain, one of which is Mr. Arvin's problem, which is expected to be addressed relatively quickly. The contractor is going to be out there within the next two weeks to install a rolled curb to repair the drainage issue.
- ARVIN** Mr. Arvin indicated that the second issue is the water coming into the house. He understood they were checking the depth to see if there was too much topsoil.
- HOLMAN** Mr. Holman added that they are looking at a two-fold review: (1) whether the property developed properly and was the topsoil at the right depth, and (2) Mr. Beauregard addressed through the contractor, who will get the road banked the way it was prior to the new sewer line being installed. Both Mr. Beauregard and Mr. Baugh are working on the solution. As soon as they have an answer, Mr. Holman will contact Mr. Arvin.

**4. ENGINEERING REPORTS:**

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

- CRABILL** Mr. Dennis Crabill reported in the absence of Mike Schober, who had submitted his written report on July 19, 2005. There were no updates to the written report.
- SCHENCK** Mr. Schenck asked about the force main problem on July 3<sup>rd</sup>. The pictures showed what appeared to be a lateral near the force main.
- HOLMAN** Mr. Holman discussed that with Mr. Hodgkinson and the Township Solicitor to review that to see what action could be taken. He will review that with the Solicitor. He added that the staff did an excellent repair job in a timely fashion.

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

**BEAUREGARD** Mr. Chris Beauregard, First Capital Engineering, presented the report in behalf of John Luciani, who was on vacation. A written report had been submitted on July 19, 2005.

**SCHENCK** Chairman Schenck commented about signing the parking lot. He wanted to be sure that the first thing people see when they pull into the parking lot is that they are totally welcome as opposed to a whole series of rules.

**HOLMAN** Mr. Holman responded that they are attempting to make people aware to leave spots during the day time so staff could have parking.

**5. ACCOUNTS PAYABLE:**

- A. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Application for Payment No. 3 in the amount of \$189,911.20**
- B. Regular Payables as Detailed in the Payable Listing of July 28, 2005**

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

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

- A. Haines Road Median Bid Award**

**HOLMAN** Mr. Holman reported he had provided a copy to each Board member this evening. The bid was approximately \$80,000 over budget amount. Mr. Luciani is on vacation, but he planned to review that with him. It may be just a matter that contractors are very busy right now, and a re-bid should take place at another time. Mr. Lauer is also looking at an option of having Public Works complete the work. There are other options. He recommended that the Board reject the bid and not re-authorizing re-bidding at this time.

**MR. BOWMAN MOVED TO REJECT THE BID FOR THE HAINES ROAD MEDIAN AS IT EXCEEDED THE AUTHORIZED BUDGET. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-05-04 – Meadowlands Business Park, Lot 3A – Action**

**BAUGH** Mr. Baugh provided background information regarding LD-05-04 as documented in a memorandum of July 20, 2005, which coincided with a previous Subdivision for lot 3A, a 3-story 90,000 square foot corporate office building being proposed for the lot. Waivers had been requested, for which Planning Commission had recommended approval. All but one of the conditions had been met as well. Staff recommended granting several waivers as documented in the July 20<sup>th</sup> memorandum. He provided overheads of the site plan, landscaping plan and a view of the property from the east, view looking north and from the west looking northeast.

**DVORYAK** Mr. Dvoryak asked about the issue of the cul-de-sac. He understood the reasoning for recommending the waiver was due to the fact that the road can't be extended because of Route 30. Typically in any other development in the Township by definition a cul-de-sac never is extended. He asked what the differentiation was on this particular cul-de-sac versus any other cul-de-sac in the development.

**BAUGH** Mr. Baugh responded that within the plan, the driveway actually meets Township street standards. It is being constructed to Township specifications. It was demonstrated coming off Concord Road there are two small wings which provide turning for larger vehicles. In addition, it was demonstrated that by going to the end of the street the building can be circled in the same function provided as a cul-de-sac.

**SCHENCK** Chairman Schenck added that the driveway is constructed to Township standards, but the Township does not have intentions of adopting it as a roadway.

**BAUGH** Mr. Baugh confirmed he was correct.

**MR. GURRERI MOVED TO APPROVE LD-05-04, MEADOWLANDS BUSINESS PARK, LOT 3A WITH THE FOLLOWING WAIVERS:**

- **TO GRANT A WAIVER OF WAIVER OF SALDO §304/305.1 PRELIMINARY PLAN;**
- **TO GRANT A WAIVER OF SALDO §502, PROPOSED STREET SYSTEM TO ALLOW THE APPLICANT RELIEF FROM CONSTRUCTING THE CUL-DE-SAC TO TOWNSHIP STANDARDS;**
- **TO GRANT A WAIVER OF STORM WATER MANAGEMENT §107.G, MINIMUM BOTTOM SLOPE TO ALLOW A BOTTOM SLOPE OF 0 PERCENT;**
- **TO APPROVE THE PLAN CONDITIONED UPON RECEIVING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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

**B. LD-05-07 – Rocky Ridge County Park, Phase I - Action**

**BAUGH** Mr. Baugh provided background information as documented in his July 20, 2005 memorandum. He stated that the property currently is used as a park. The site includes parking, trails, picnic facilities, restrooms and other associated uses. The applicant is requesting to install a new restroom facility to replace two outdated buildings and to construct a new four-way intersection and two picnic area pull offs. Several waivers had been requested, which the Planning Commission recommended approval, as well as their approval of the plan. There were five items, which had since been reduced to three. Staff recommended approval with waivers and conditions.

**SCHENCK** Chairman Schenck noted that discussion concerning the intersection would be done at another time.

**MR. BISHOP MOVED TO APPROVE LD-05-07, ROCKY RIDGE COUNTY PARK, PHASE I WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §304/305.1 PRELIMINARY PLAN;**
- **WAIVER OF SALDO §408.1 SIDEWALKS;**
- **WAIVER OF SALDO §407.1 CURBS;**
- **WAIVER OF SALDO §307.2.B CROSS-SECTIONS OF STREETS**
- **WAIVER OF SALDO §307.2.A PROFILES OF STREETS**
- **WAIVER OF SALDO §305.3.C TYPICAL CROSS SECTION AND CENTERLINE PROFILES OF STREETS;**
- **WAIVER OF SALDO §305.2.N PROPOSED CONTOURS;**

**TO GRANT A MODIFICATION OF §307.1.S TO ALLOW APPLICANT TO PROVIDE 2 MONUMENTS; AND WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING A LETTER OF ADEQUACY FROM COUNTY CONSERVATION DISTRICT;**
- **PROVIDING COMPLETED NOTARIZED STATEMENT OF OWNERSHIP;**
- **PROVIDING A DATED SIGNATURE AND SEAL OF THE SURVEYOR AND ENGINEER RESPONSIBLE FOR THE PLAN.**

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

**8. COMMUNICATION FROM SUPERVISORS**

**GURRERI** Mr. Gurreri reported that Mr. Dvoryak had been elected Vice President of Membership of White Rose Toastmaster Club, as reported in the newspaper.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 28, 2005  
APPROVED**

- GURRERI** Mr. Gurreri reported that he had attended the concert on July 27<sup>th</sup>, with the Legends, which was excellent. He commended David Wendell for great performances.
- GURRERI** Mr. Gurreri reported that the York County Economic Development annual outing is September 8<sup>th</sup> from 5 p.m. to 8 p.m. at Naylor's Winery. Unfortunately, it falls on a regular meeting night.
- BOWMAN** Mr. Bowman reported that a resident of Pleasureville called with concern of the new development, Woodlyn, off Marion Road. He reported that there seemed to be a lot of speeding. He suggested to have police presence in the area.
- HOLMAN** Mr. Holman responded that he and Chief Eshbach will take a look at it.
- DVORYAK** Mr. Dvoryak reported that a resident spoke to him concerning the fire station on East Market Street. The resident's concern is security at that station which appeared lax. They had visited the facility at various times mostly in the evening and found no one occupying the building but the doors open and equipment left subject to vandalism and theft. Mr. Dvoryak had discussed the matter with Mr. Stern and understood it to be a unique situation since the Volunteer Fire Company owns the equipment and the building and is responsible for the security. However, the Township has an employment contract with the Firefighters who work there. He had some conversation with the Volunteer Fire Company and members of the board. They are looking into investigating in a security system. He was not clear as to whether there was any type of personnel issue relative to whether there's a lack of training and/or discipline that may be needed. He encouraged Mr. Holman and the staff to review the matter.
- SCHENCK** Chairman Schenck added that because of his involvement in the Volunteer Fire Company Board, they are aware of how open that particular station is and they've been looking into a security system, which could be expensive. A policy is in place as to when the doors get locked and how the garage door should be put down after the trucks leave. He thought some of the volunteers, Mr. Stern, someone from the union could discuss the matter to see if the Township employees could help with keeping their policy in place. There are a lot of things that could be done just with training, with people using what's there to secure the building a little more.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 28, 2005  
APPROVED**

**HOLMAN** Mr. Holman responded that Mr. Dvoryak had discussed the matter with him and he, in turn, had passed it along to Mr. Stern to deal with the volunteers and the paid men to get a response back to him. Working with the volunteers they will be able to address it properly.

**SCHENCK** Chairman Schenck offered to help in whatever way he could with that discussion.

**HOLMAN** Mr. Holman was assured that with Mr. Schenck's help and Mr. Stern's help it would be brought to a successful conclusion.

**GURRERI** Mr. Gurreri asked whether a Zoning Officer worked on Saturdays in the Township.

**HOLMAN** Mr. Holman responded that at times an inspector does go out and look for signs on Saturdays.

**GURRERI** Mr. Gurreri had a complaint from a car dealer having a sale using balloons on the antennas of their cars. The inspector made them remove them. Another resident had his mother's car on his property with a broken window to be fixed. There are lots of other things being overlooked and it seemed like the officer had better things to work on.

**HOLMAN** Mr. Holman responded that he had addressed the matter with Mr. Baugh. The focus is on the temporary signs and weekends are the biggest problem.

**GURRERI** Mr. Gurreri reported that the Fire Department was on call and went to York Mall and they got a mother duck and five little babies out of the sewer grate.

**SCHENCK** Chairman Schenck brought up a potential problem concerning the company that provides PODS for moving and storage. Because of the way they are advertising, people might think that since the company is willing to drop them off in a driveway and leave them there for as long as the resident wants them, that somehow means they are permitted. There may be ordinances already in place to address that. While the new ones are good looking and shiny, imitators are rusty old shipping containers. He didn't want to end up with a problem in the Township.

**BAUGH** Mr. Baugh responded that there had been no complaints, but he knew the location of the company.

**SCHENCK** Chairman Schenck noted to be sure that something is on the books to handle such issues. If not, it is something for review.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that he had submitted a written report and he had nothing to add.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that, in addition to his written report, he had several updates. The Municipal Code is now on the web site and open to the public. One of the goals of this board was to get as much out to the public as possible.

**HOLMAN** Mr. Holman stated thanks to the Recreation Department, Public Works, Police Department and everyone who helped with the 4<sup>th</sup> of July celebration, which was an outstanding celebration. The same people are working hard on Saturday in the Park, which will be another exciting time for the Township.

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

**A. Ordinance No. 05-07 – Establishing Maximum Speed Limits on Overview Drive**

**SCHENCK** Chairman Schenck noted that this Ordinance is in response to several citizen comments, followed by a traffic study, which resulted in the posting of a 25 mile an hour speed limit on Overview Drive.

**MR. GURRERI MOVED TO APPROVE ORDINANCE 05-07 ESTABLISHING MAXIMUM SPEED LIMIT ON OVERVIEW DRIVE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-53 – Escrow Fund Deposit Accounts**

**DVORYAK** Mr. Dvoryak stated that he was curious to know the selection process for Commerce Bank. He had asked Mr. Hadge what interest rate was being received and had been surprised at the rate.

**HOLMAN** Mr. Holman responded that he was aware that Commerce Bank has a very successful and one of the best Escrow Account programs of which he was aware. The success rate, the accuracy of the reports and the ease of accessing those funds through the computer updates makes it well worthwhile to go to Commerce

Bank. It will not be a large account; it will be a relatively small account because no escrow can exceed \$10,000 at any one time. It's not that it can't be replenished, but that's the maximum that goes in per account. It's the familiarity and being comfortable with that account. He was very familiar with that program and had used it before. It is outstanding.

**GURRERI** Mr. Gurreri asked for the interest rate figure.

**HOLMAN** Mr. Holman responded it was 1%.

**GURRERI** Mr. Gurreri asked for the interest rate figure at the bank being used at this time.

**HOLMAN** Mr. Holman responded it was about 2-1/2%; however, there are no charges for checks or any services or minimum balance on this Commerce Bank account. Mr. Holman noted that the account itself will probably run \$70,000 to \$80,000 max. Realistically it's the ease of movement of the funds and being comfortable with the actual program on the account.

**BOWMAN** Mr. Bowman asked whether the interest rate was 1% or .1%.

**HOLMAN** Mr. Holman responded that it is 1% and this is the final product from the Escrow Ordinances approved some time ago.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-53, THE ESCROW FUND DEPOSIT ACCOUNTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-54 – DCNR – Redevelopment of Penn Oaks Park**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-54. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-55 – Additional Street Lights – Kingswood Estates**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-55. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 05-56 – Additional Street Lights – Orchard Hills Phase II**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-56. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 05-57 – Transfer of Funds from RPD No. 1 to RPD No. 5**

**SCHENCK** Chairman Schenck noted that the RPD is Recreational Park District No. 1, and money is being transferred from one district to another.

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 05-57. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop asked whether the text could be revised with further explanation.

**HOLMAN** Mr. Holman agreed to make the title of RPD more explanatory.

**BISHOP** Mr. Bishop noted that it appeared as though something was being hidden.

**HOLMAN** Mr. Holman responded that it had been approved in the budget and the Solicitor had been helpful in drafting the RPD. They had been very open about the \$100,000 transfer.

**SCHENCK** Chairman Schenck indicated he could not argue with Mr. Bishop's comments and wanted to be sure that everyone was aware of what was being done.

**HOLMAN** Mr. Holman added that the gates to the park will be opened in the morning. The fence will come down within a week and a half. Tennis courts will be open.

**G. Resolution 05-58 – Motter Residential/Storm Water Management Facilities Maintenance Agreement**

**SCHENCK** Chairman Schenck asked whether this process was something new that the County required.

**BAUGH** Mr. Baugh responded that the County had required every document taken to them recently for recording needed to have a Resolution from the Board. This is one moving ahead of the process rather than having to come back for a Resolution.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-58, MOTTER RESIDENTIAL STORMWATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Resolution No. 05-59 – Easement Agreement with Central York School District for Roadway Improvements**

**HOLMAN** Mr. Holman explained that Resolution 05-59 dealt with the new road to be constructed, which is for the street lights on Mundis and Sherman.

**RAUSCH** Solicitor Rausch added that part of the property does touch on the tree farm.

**HOLMAN** Mr. Holman stated that he had received a letter from the EPA indicating that they are fine with the easement. This will not trigger any repayment of any funds to the EPA. The Solicitor will be attaching it to the Easement Agreement so that letter is always there.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-59, EASEMENT AGREEMENT WITH CENTRAL YORK SCHOOL DISTRICT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Resolution No. 05-60 – Joint Fire Services DCED Grant Request**

**HOLMAN** Mr. Holman explained that the Joint Fire Services Committee had recommended an application be filed for a DCED Grant in order to offset future costs associated should the fire departments combine. A recommendation was made to both Spring Garden and Springettsbury Township that an application be filed for funds. This is to offset professional services and other items necessary. Spring Garden Township had already approved a Resolution and had agreed to be the lead agency in this grant request. This would be Springettsbury Board's Resolution authorizing application for the funds. There are a couple of grants in process and this is the second one that will be filed. It's always good to get the Resolutions moving forward.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-60, JOINT FIRE SERVICES DCED GRANT REQUEST. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**J. Authorization to Execute Agreement for Pollution Liability Insurance**

**SCHENCK** Chairman Schenck stated that Mr. Holman recommended the purchase of some insurance coverage for pollution liability. It was brought to our attention by the User's Group.

**HOLMAN** Mr. Holman responded that he was correct. This would cover accidents involving fertilizer; overflow into the sewer. Insurances had been reviewed and there was no coverage. This will cover the sewer plant and underground storage tanks at the Public Works facility and any other such incident throughout the Township. The main cost (65%) of this is with sewer facility. The user group will pick up 50% of that cost. This is a three-year contract based on the quotes received and would provide the best coverage over a three-year period for the amount of \$37,294. It will provide protection up to \$1 million per incident with an aggregate of \$4 million. We would pick up the first \$25,000 of any incident, and they will pick up the next \$1 million. He recommended putting the environmental liability insurance in place.

**MR. BOWMAN MOVED APPROVE AUTHORIZATION TO EXECUTE AGREEMENT FOR POLLUTION LIABILITY INSURANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Liquor License Public Hearing – June 23, 2005**

**MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE JUNE 23, 2005 PUBLIC HEARING. MR. GURRER WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

**B. Board of Supervisors Act 10 Public Hearing – June 23, 2005**

**BISHOP** Mr. Bishop voiced his concern that additional comment should be included relating to the individuals who spoke in favor or against the methadone clinic.

**DVORYAK** Mr. Dvoryak agreed that there was more detailed information presented by the County, but the citizen's comments did not include reasoning.

**GURRERI** Mr. Gurreri agreed as well.

**BISHOP** Mr. Bishop suggested to just have a reason or two or a summary of the arguments brought forth.

**Consensus was to table the minutes in order to add additional detail.**

**C. Board of Supervisors Regular Meeting – June 23, 2005**

**MR. GURRERI MOVED FOR APPROVAL OF THE BOARD OF SUPERVISORS  
REGULAR MEETING JUNE 23, 2005. MR. DVORYAK WAS SECOND.  
MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Methadone Clinic Act 10 Hearing Discussion**

**SCHENCK** Chairman Schenck introduced the Methadone Clinic discussion. He stated that a Public Hearing had been held, and the required waiting period had elapsed while waiting to act. He asked whether the board was prepared to move forward.

**BISHOP** Mr. Bishop asked Solicitor Rausch whether the fact that the minutes had not been approved for the Public Hearing would have any bearing on the matter.

**RAUSCH** Solicitor Rausch responded that it did not because it had been under a Local Agency Hearing and stenographic record is not required. The municipality had the opportunity to stenographically record that, so the minutes are really for the Township's convenience.

**SCHENCK** Chairman Schenck asked Solicitor Rausch whether the Board needed to move into the Local Agency mode as was done for the Public Hearing. His understanding was that the Board could act on information learned from the Hearing.

**RAUSCH** Solicitor Rausch stated that the Board did not need to move into the Local Agency mode. The Board could move ahead with their information.

**DVORYAK** Mr. Dvoryak asked whether it would be appropriate to ask additional questions or simply discuss what has already been presented.

**RAUSCH** Solicitor Rausch recommended that if there are additional questions, another Public Hearing should be scheduled. At this point the Public Hearing was closed. If, after studying the information, the Board could not make a decision, he recommended it be re-opened since the Act states that one or more Public Hearings can be held to gather more information.

**HOLMAN** Mr. Holman noted that holding an additional Public Hearing would necessitate re-advertising.

- RAUSCH** Solicitor Rausch responded that he was correct.
- SCHENCK** Chairman Schenck stated for clarification that if there are citizens that have general comments, they can be heard.
- RAUSCH** Solicitor Rausch noted that any citizen has the right to come in and say they are in favor or opposed to it; however, the Board should not be receiving additional evidence.
- GURRERI** Mr. Gurreri stated that he had a question for the County that had been discussed. He wondered whether he could ask that question.
- RAUSCH** Solicitor Rausch responded that if the Board could not reach a decision, then an additional Public Hearing should be called in order to ask additional questions.
- SCHENCK** Chairman Schenck commented that deliberating could mean he could ask the question that is on his mind, but he could only gain an answer from another Board member.
- BISHOP** Mr. Bishop stated that the Board needed to decide if they are ready to decide.
- SCHENCK** Chairman Schenck asked for the Board's direction.
- BISHOP** Mr. Bishop stated that he was ready to make a decision; however, he did not have any problem waiting if other Board members wanted more information.
- GURRERI** Mr. Gurreri stated that he was prepared to move forward.
- DVORYAK** Mr. Dvoryak stated that he had enough information to make a decision.
- BOWMAN** Mr. Bowman stated that, even though he had not been present at the Public Hearing, he had read the information and spent quite a bit of time confirming his understanding.
- Consensus was agreement that the Board of Supervisors was ready to make a decision.**
- SCHENCK** Chairman Schenck indicated it was appropriate to express concerns.
- GURRERI** Mr. Gurreri stated that his concern was for the lady who lives within 500 feet of the proposed methadone clinic. He had

understood it belonged to the County; however, he had since learned that it does not. His suggestion would be that the County might offer to relocate her.

**RAUSCH** Solicitor Rausch responded that the evidence was that there was one residence located within 500 feet. That resident was here and testified in opposition. The Board's responsibility is to determine whether or not the location of that methadone facility where it is proposed adversely affects anyone within that 500 feet to the point where it affects the health, safety and welfare of those uses that are within that 500 feet. Whether the County chooses to make a deal with the resident and relocate or not is between the County and the resident.

**GURRERI** Mr. Gurreri stated that was his concern.

**RAUSCH** Solicitor Rausch commented that it was a legitimate concern and Mr. Gurreri would have to make a decision based on his concern and the evidence.

**SCHENCK** Chairman Schenck voiced one comment for the record. His concerns relate more to the Land Development process. There were a lot of questions that came up in his mind about traffic and use of the facility that were not presented in the testimony. He was not satisfied with that portion; however, he recognized that it was not part of this decision. He wanted to be sure the County understood that he reserved those questions.

**RAUSCH** Solicitor Rausch responded that he was not waiving any of his obligations or rights under the Subdivision and Land Development process.

**SCHENCK** Chairman Schenck noted it was his personal concern.

**Public Comment**

**SCHENCK** Chairman Schenck opened the floor for public comment and asked that speakers would please use the microphone, state name and address for the record on this subject.

**KYLE** Katrina Kyle, 138 Oakleigh Drive, stated that she had worked in York for 18 years in social services, previously as the Drug and Alcohol SEA Director for York-Adams, and currently for Dauphin County Drug and Alcohol program. She had lost a family member to heroin and alcohol and also had very deep feeling about how the community can be pro-active. York is not immune to the drug

problem, and the methadone clinic would be an opportunity to treat a very serious heroin problem. She provided some statistics: Average heroin addict is a white 30-year old male starting at 12 years old and discovering that IV drug use is the fastest way to get high. Additionally, they're smoking it. Harrisburg had the second oldest (25 years) methadone clinic in Pennsylvania, which closed a few years ago due to the age of the medical director who retired. It was located next to an elementary school and there were no problems. Discovery House continues to service people over 15 counties with 300 clients due to the lack of methadone clinics in the area. Costs: Methadone has also been proven to be most effective and less expensive than other treatment: \$95.00 a week is less than \$5,000 a year. One treatment stay can run anywhere between \$6,000 to \$15,000 depending on the need. Mr. Warren has a plan that won't cost the County or the Township dollars. She encouraged the Board to act favorably.

**LARGENT**

Todd Largent, 238 Pleasant Acres Road, indicated he was virtually all but within 500 feet of the proposed facility. His property will corner their property with one property in between us. He had lived in York since birth. He had seen the jail and the detention center come, and has concerns that Springettsbury is fronting everything for all of York County.

**GUNNING**

Paul Gunning, 2205 East Philadelphia Street, stated that he had provided a written presentation and spoke during the Public Hearing. He emphasized that drug and alcohol abuse is a serious problem. He is a strong advocate for a whole continuum of treatment including the de-tox, which hopefully will be located at Pleasant Acres for acute care, the methadone which is only one part of a drug treatment and out-patient level, counseling and other medications. He stated that this would be an excellent opportunity for the Supervisors to put into place a comprehensive treatment program located on County property, which is the most logical place for it to be and be a beacon for every county in Pennsylvania. He strongly urged the Board to act favorably.

**BRADY**

Peter Brady, Greystone Road, stated that his original reaction to the methadone clinic in his neighborhood was negative. However, the more he thought about it and listened to the complaints during the Public Hearing, along with the facts, the more he realized that this would be the best location for this facility. There is active police presence at the prison, along with the detention center. Criminals will not be hanging and loitering in that neighborhood because of that presence. Land does not have to be condemned because it already belongs to the County. Buses are available. It

will save taxpayers money. Everything that will be in place will be a plus.

**JOHNSON**

Jane Johnson, 3693 Pleasant Valley Road, stated that she had two people very close to her who had been affected by methadone in different ways. One has chosen to not be a part of the program and struggled to get off methadone but is very successful and doing well. The other is on methadone getting up, going to work, not in jail any more, not stealing, so her position in favor of methadone as a solution to an overall heroin problem leans toward the positive side. She commented on the fact that the community property values are up and homes are selling quickly. No one ever asks how it feels living next to a prison where there are convicted murderers, rapists, criminals. Addicts who want to be helped will find that available with the methadone clinic located next to other County facilities that will assist in the rehabilitation process. If residents can live next to a bunch of people who don't want to be helped who are incarcerated and that doesn't affect anyone, then maybe putting the clinic here isn't as bad as people might think it would be.

**LARGENT**

Todd Largent added one more thing to his testimony. In addition, the Day Care is right beside where they want to build. That's a grave concern to everyone as well.

**SCHENCK**

Chairman Schenck noted the comments and thanked those who spoke. He stated that the Board had indicated they are ready to make a decision.

**RAUSCH**

Solicitor Rausch clarified what the Board would be voting on: the use of a methadone clinic at the proposed location.

**GURRERI**

Mr. Gurreri commented that there is no doubt it is needed in the community. Individuals who desire help can be contributing to the community if methadone is available through the clinic. It would be difficult to hold jobs having to go to Harrisburg or Baltimore every day. Mr. Gurreri indicated he had stood on Sylvan Drive, a block away from the proposed location, and he just could not see anyone walking into that community from the facility. He agreed that it was probably the best place for it.

**MR. GURRERI MOVED TO APPROVE THE USE OF A METHADONE TREATMENT FACILITY AS PROPOSED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of Resignation of Joint Fire Services Committee  
Member Thomas Englerth**

**SCHENCK** Chairman Schenck indicated the Board needed to acknowledge receipt of the resignation of Thomas Englerth from the Jt. Fire Service Committee. He understood this related to a work schedule conflict. He asked Mr. Holman to send a letter of thanks to Mr. Englerth.

**HOLMAN** Mr. Holman stated that a vacancy was created on the Committee

**BISHOP** Mr. Bishop noted that the only real issue would be with Quorum issues.

**HOLMAN** Mr. Holman indicated he thought the Quorum issues had been resolved.

**B. Request for Consideration for Waiver of Tax Penalty**

**HOLMAN** Mr. Holman requested that item B be held for a future Agenda. He was waiting for information from the County and from the school.

**C. Acknowledge Receipt of June 30, 2005 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE JUNE 30, 2005  
TREASURER'S REPORT. MR. GURRERI WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:55 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 23, 2005 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

**MEMBERS NOT IN ATTENDANCE:** Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Mark Hodgkinson, Director of Wastewater Treatment  
Dave Eshbach, Chief, Police Department  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:30 p.m. He apologized for the delay due to the Public Hearing earlier.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri noted that Trooper William Tucker, a Springettsbury Township resident, had saved a suicidal man from jumping off I-83 at Market Street. Mr. Gurreri cited him as a real hero.

**Pledge of Allegiance**

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

**SCHENCK** Chairman Schenck added that Mr. Gurreri had invited a Pastor to provide the opening prayer, but unfortunately, he had to leave. However, he will come to a future meeting.

**GURRERI** Mr. Gurreri stated he is the Pastor from Living Word Community Church.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that there were no Executive Sessions to announce, and none scheduled at this time.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor to citizen comment.

**MEHRING** Ms. Lynn Mehring, 1433 Memory Lane Extended, brought forward an issue of concern regarding the zoning of her residence, which was changed from Residential to Commercial during the Galleria Mall development. She understood that, in the event of a disastrous fire, she could not rebuild without approval of the Zoning Hearing Board. She asked the Board to consider making an exemption in the zoning law.

**HOLMAN** Mr. Holman stated that they were made aware of this issue. It is part of the ordinance review of the Comprehensive Plan.

**RAUSCH** Solicitor Rausch noted that the property might be worth more zoned Commercial than Residential. He added that it is a non-conforming lot that had been zoned Commercial, and the Zoning Hearing Board will address that. Under disastrous circumstances the Mehrings would be entitled to rebuild. The Zoning Hearing Board would have to approve it.

**SCHENCK** Chairman Schenck added that there is some built-in relief if the Township created a non-conforming use.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported updates on two items.

- Eden Road Interceptor – Notice of Intent was issued; all bonds and insurances had been provided and reviewed; waiting for permits which are expected by mid-July.
- Barwood Road Sewer – Three alternative analyses were completed; two gravity, one individual grinder pump.
  - Conventional option – fairly deep sewer through proposed right of way. Estimated construction costs - \$338,000.
  - Parallel sewer – would have natural downhill flow, involve rights of way, significantly reduce depth of sewer. Estimated costs - \$238,000
  - Individual grinder unit at each residence - Pumps into smaller force main, travel Barwood to manhole at Mt. Zion.
  - Estimated construction costs - \$210,000 including pumps and tanks.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

- No laterals from house to street are included in those costs, which would be homeowner's responsibility.

**SCHENCK**

Chairman Schenck asked Mr. Schober to further explain how the individual units operated.

**SCHOBBER**

Mr. Schober responded that there was one common force main in Barwood Road, which is constantly under pressure. All would pump into the force main, and all have check valves.

**HOLMAN**

Mr. Holman noted that the grinder pump itself would belong to the owner, who would have to maintain that grinder pump for a number of years.

**SCHOBBER**

Mr. Schober added that there would be a 10 to 15-year lifetime and then it would have to be replaced, and which is a maintenance issue.

**SCHENCK**

Chairman Schenck asked whether the estimate included rights-of-way acquisition.

**SCHOBBER**

Mr. Schober responded that they had included a small allowance for rights-of-way acquisition.

**BISHOP**

Mr. Bishop asked whether there was much difference between options in terms of rights-of-way acquisition.

**SCHOBBER**

Mr. Schober responded that the grinder pump option has the lesser number of acquisitions.

**SCHENCK**

Chairman Schenck commented that the parallel line might be an advantage for some to go out through the back of their homes.

**SCHOBBER**

Mr. Schober responded that there would be a definite advantage for the homes along the south side.

**HOLMAN**

Mr. Holman added that some of the residents would be very happy with that idea.

**SCHOBBER**

Mr. Schober commented that was why he thought as far as the acquisitions, it would be in their best interest.

**HOLMAN**

Mr. Holman reported that he and Mr. Schober have a meeting with the Barwood Road residents scheduled for Monday evening, June 27<sup>th</sup> to go over these plans. They will discuss all three options. The residents had been kept informed of the progress.

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

**LUCIANI**

Mr. Luciani provided several updates to his written report.

- He reported that a recent issue of Township News had a picture of Mr. and Mrs. Gurreri on the front cover. An additional article appeared about Springettsbury Township's award for the road and bridge program.

**Deininger and Mt. Zion Roads**

Mr. Luciani previously had provided plans to the Board of the intersection of Deininger and Mt. Zion Roads. He expanded on those plans via a brief PowerPoint presentation.

- Project planned by the department on the TIP for York County.
- The Township had asked York County to help make the road safer as part of a park expansion.
- Accident history for a 5-year period had been reviewed, many which revealed alcohol involvement. Many accidents involved hitting the wall, which will remain.
- Sight distance will be improved on approaching the intersection with right turn lane.
- 52-inch high Jersey barrier is proposed on the right side at the entrance.
- Wider shoulder on the right side.
- Project will be about 400 feet wide; from intersection going down hill about 300 feet wide.
- Left-hand radius coming out of the park will be much larger; pole relocation necessary.
- Acquisition of rights-of-way in process; Surtasky property will lose some hedges and trees.
- Turn lane and almost a through lane included for safer turning.

**GURRERI**

Mr. Gurreri mentioned that tractor-trailers will have a difficult time navigating through there.

**LUCIANI**

Mr. Luciani indicated that the new radius will be approximately 50 feet, and a truck with a cab to axle length about 55 feet could easily make the turn. Some transitional widening will be done.

Mr. Luciani added a few additional points to the plan:

- A left-turn lane will be provided coming up the hill to allow people to make left turns into the park, as well as a through lane to allow cars not to be stopped going up the hill.
- Rumble strips will be added with the striping when motorists cross over the lane.
- Outdated flasher will be replaced indicating the blind park entrance.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

- HOLMAN** Mr. Holman stated that the budget is \$90,000. He wondered whether the controller was for flashing lights. He initially thought that was for traffic signals.
- LUCIANI** Mr. Luciani responded that it was an outdated flashing light, which will be updated to flash the entrance to the park is up ahead.
- GURRERI** Mr. Gurreri asked how long the turn lane will be.
- LUCIANI** Mr. Luciani responded that the turn lane will be about 150 feet.
- GURRERI** Mr. Gurreri asked whether some of the hill would be removed in order to upgrade the sight distance.
- LUCIANI** Mr. Luciani responded that PennDot will do some cutting away of the hill and improve the sight distance about 200 feet. It may grow to 350, which is PennDot's minimum requirements. Some interim sight improvements had been made during the time of the park expansions, such as Chevrons, short-term signage.
- LUCIANI** Mr. Luciani reported that an ad had been placed for temporary signals at Sherman and Mt. Zion Road. The shoulder had been rebuilt which will enable the right-turn vehicle to stay in that lane. On an interim basis he felt the shoulder would be a big improvement.
- HOLMAN** Mr. Holman added that PennDot had issued the temporary light permits.
- LUCIANI** Mr. Luciani added that they had issued a note for the signal equipment as well.
- SURTASKY** Mr. Tony Surtasky asked when they might start construction.
- HOLMAN** Mr. Holman stated that the latest schedule is funded for construction in 2006; utility and right of way in 2005. That's the current schedule, and the Township will keep a very close eye on the TIP.
- Resident** A resident noted concern about the safety of the roadways with the school opening, such as egress and traffic flow on Spangler, sight distance across Deininger, speed bumps and a stop sign at the Deininger intersection. He commented on the number of accidents at the intersection.
- LUCIANI** Mr. Luciani responded that the accident reports had been reviewed over a five-year period.
- SCHENCK** Chairman Schenck asked whether Mr. Holman was looking for a motion from the Board to indicate to the state to proceed with the plan.

**HOLMAN** Mr. Holman asked whether the Board supported the plan, or if there were any comments on the plan as he would like to report back to the MPO and back to the project engineer.

Consensus of the Board was agreement in favor of the plan.

**GURRERI** **Kershaw and Eastern Boulevard**  
Mr. Gurreri asked Mr. Luciani about Kershaw and Eastern Boulevard and whether he had been involved with the second survey and traffic study count. The results were that no further action was required for this site.

**LUCIANI** Mr. Luciani responded that he had been involved and a traffic study was completed.

**HOLMAN** Mr. Holman stated that based on a review of Chief Eshbach's traffic study, it appeared no further action was needed.

**GURRERI** Mr. Gurreri wanted to know whether that was since the Eastern Boulevard median was installed.

**HOLMAN** Mr. Holman responded that his statement was correct.

**GURRERI** Mr. Gurreri recalled some discussion about a circle and some other options.

**LUCIANI** Mr. Luciani responded that it was for Phase II only if warranted.

**GURRERI** Mr. Gurreri mentioned a recommended 4-way stop that was not warranted. There are 4-way stops that work very well. He asked whether there are still 600 cars on Kershaw Street each day.

**HOLMAN** Mr. Holman indicated he would have to review the report again in detail.

**5. ACCOUNTS PAYABLE:**

- A. Kinsley Construction, Inc. – Eden Road Relocation Project – Application for Payment No. 8 in the amount of \$71,851.71 (Final Payment)**
- B. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Application for Payment No. 2 in the amount of \$221,061.82**
- C. Robert P. Lepley Electrical Contractor – Springettsbury Township Park Phase II – Application for Payment No. 2 in the amount of \$12,425.04**
- D. Regular Payables as Detailed in the Payable Listing of June 23, 2005**

**MR. GURRERI MOVED FOR APPROVAL OF ACCOUNTS PAYABLE A THROUGH D. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

- A. Kinsley Construction, Inc. – Eden Road Relocation Project – Request for Change Order No. 4 in the amount of \$14,550 (clean out of storm sewer, minor landscaping and removal of excess piping).**

**HOLMAN** Mr. Holman stated that over the last four or five months has been part of the project had been to clean the pipes, for which approval had been granted. There had been some additional minor work to be done than was initially recommended. This keeps the cost well under the budgetary number for this project. An additional plus is that the storm water pipes had been cleaned out on Sand Bank Road.

**MR. DVORYAK MOVED TO APPROVE CHANGE ORDER NO. 4 IN THE AMOUNT OF \$14,550. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Request for Change Order No. 1 for CREDIT in the amount of \$3,576 (bollard installation was priced twice in base bid).**

**MR. GURRERI MOVED TO APPROVE KINSLEY CONSTRUCTION, INC. – SPRINGETTSBURY TOWNSHIP PARK PHASE II, REQUEST CHANGE ORDER NO. 1 FOR CREDIT IN THE AMOUNT OF \$3,576. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Request for Change Order No. 2 in the amount of \$250 (upgrade concrete slab from 4” to 6” with welded wire).**

**MR. DVORYAK MOVED TO APPROVE CHANGE ORDER NO. 2 IN THE AMOUNT OF \$250.00. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Request for Change Order No. 3 in the amount of \$3,150 (installation of two 10’ x 10’ double swing gates).**

**MR. GURRERI MOVED TO APPROVE KINSLEY CONSTRUCTION, INC. – SPRINGETTSBURY TOWNSHIP PARK PHASE II – REQUEST FOR CHANGE ORDER NO. 3 IN THE AMOUNT OF \$3,150. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman noted that the final price of that contract, after all the Change Orders, was lower by about \$150 from the original award.

**SCHENCK** Chairman Schenck added that he appreciated Mr. Lauer and Mr. Wendell jointly working with the construction company. The changes made are items that Mr. Lauer normally ends up fixing.

**GURRERI** Mr. Gurreri stated that it was a real credit to the Manager.

**HOLMAN** Mr. Holman responded that Mr. Lauer and Mr. Wendell made his life much easier on this project because they were willing to look into it.

**SCHENCK** Chairman Schenck added that they were willing to come forward. In the past there had been projects where they saw things happening and did not think they could come forward. That's a big change and a good one.

**E. Contract with National Geomatica for GIS Service**

**HOLMAN** Mr. Holman stated that the Board had requested a further review to determine whether a change in fee charges would be required to cover this cost, and secondly, a question was raised by the Board about the contract dealing with a somewhat more detailed explanation of what the terms meant. All that information was forwarded to the Board. He stated that the budget had been reviewed by Mr. Hinkle and Mr. Baugh. Based on that review there would not be a need to increase fee charges in 2005, nor will this impact the charges in 2006. They would like to move forward with the project with funds reserved for this project, as well as with funds from Mr. Baugh's office. This will enable the GIS system to get up and running, as well as the maps on the website for the public's use. In addition, it will be a help to Mr. Baugh's office for people to be able to see their zoning and the ordinances on the web.

**BISHOP** Mr. Bishop asked how much money is projected for the project.

**HOLMAN** Mr. Holman responded that he had an estimate of \$18,000. Based on the permits reviewed and the instruction, they believe the actual annualized cost will be about \$16,000 to \$16,500.

**BISHOP** Mr. Bishop asked whether the cost would be roughly the same amount every year thereafter.

**HOLMAN** Mr. Holman responded that if permits continue to grow then the number will increase. If permits go down and there isn't as much going on, as much maintenance, etc., then that cost goes down. Mr. Holman added some thoughts pertaining to doing the same work in-house, which was projected to approximately \$60,000 to bring everything into compliance. There might be a need to hire additional manpower. All the work will translate into the police department, into the sewer department and everything else will start rolling off this.

**MR. GURRERI MOVED TO APPROVE CONTRACT WITH NATIONAL GEOMATICA FOR GIS SERVICES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISION AND LAND DEVELOPMENT:**

**A. LD-05-06 – York Town Center Time Extension to 9/30/05**

**MR. GURRERI MOVED TO ACCEPT LAND DEVELOPMENT 05-06, YORK TOWN CENTER TIME EXTENSION TO 9/30/05. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-02-02 – Associated Wholesalers, Inc. Time Extension to 6/30/06**

**MR. GURRERI MOVED TO ACCEPT TIME EXTENSIONS FOR LAND DEVELOPMENT 02-02, ASSOCIATED WHOLESALERS, INC. TO 6/30/06. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri commented that during the last meeting he had to leave as his grandson had been rushed to the hospital for emergency surgery. He did not need the surgery after all. He appreciated all the concern extended to him.

**BISHOP** Mr. Bishop reported that the Spring Garden-Springettsbury Joint Fire Task Force is moving forward and had completed a great deal of research. There still is some consulting work going on, but the general consensus among that task force is to move faster rather than slower. There is action, and hopefully a recommendation will come very soon. There was a recommendation to move forward with some additional funding requests.

**HOLMAN** Mr. Holman stated that the Board would get further information in July. An application is to be prepared, and they will have a meeting with Mr. Dean Fernsler next week. That is to offset costs for legal, actuary and other studies in order to develop the actual draft documents, which would be ordinances, by-laws, agreements, etc.

**BISHOP** Mr. Bishop reported that the Comprehensive Plan Committee is moving rapidly. There is a significant meeting next Tuesday, the 28<sup>th</sup> at 6 p.m. which will include some of the most extensive discussions of traffic issues in Springettsbury Township.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

**HOLMAN** Mr. Holman added that a presentation had been compiled concerning traffic improvements in the Township, i.e., those done, those proposed and those proposed for the future.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that Norfolk Southern signed the agreement relating to the Concord Road rail crossing. Once that agreement is received, the issue with the PUC can be settled and Concord Road project can move ahead.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated, in addition to his regular report, that he had three additional items for action.

- Joint Service Agreement with the Justice Network with the County in order that the Police Department could research information through there.

**MR. BISHOP MOVED TO APPROVE A JOINT SERVICE MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE COUNTY JUSTICE NETWORK. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- Authorization for Reimbursement to the STVFC in the amount of \$55,735.10 based on a 2004 Treasurer's Report and based on the Auditor's review of that report. This is in accordance with the reimbursement that was done in 2004 for 2003 and 2001 expenditures.

**MR. BISHOP MOVED TO APPROVE THE REIMBURSEMENT OF SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY FOR 2004 IN THE AMOUNT OF \$55,735.10. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- Authorization to award contract to Hafer Petroleum Equipment, Ltd. For the Gasboy system. This will repair it and bring the Gasboy system up to current standards. This is the system used to monitor the gasoline and diesel usage in the Township. This is a single vendor item.

**MR. DVORYAK MOVED TO AUTHORIZE A CONTRACT AWARD TO HAFER PETROLEUM EQUIPMENT, LTD. FOR A TOTAL COST OF \$13,192. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman introduced the Auditor for presentation of the audit report.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

**REINER**

Mr. Mike Reiner of Sager, Swisher and Company, LLP presented the Audit Report for the year ended December 31, 2004. The document provided previously had been reviewed with management. In accordance with GASBE 34 the management letter document was included and their comments on the audit procedure performed for the Township. The audit opinion provided a clean audit opinion on all the financial statements presented, all the fund information, as well as the combined information. With GASBE 34 is the implementation of the infra-structure accounting at estimated historical costs. They worked with the engineers and management to calculate and estimate the infra-structure of the Township, such as roads, bridges, sidewalks, traffic signals. That cost base was estimated on the engineering report at \$90 million. The dollar values amounted to around \$46 million based on the estimated lives of all the roads. This was added to the financial statements for the year.

Mr. Reiner reported on additional funds and assets shown on the report, all of which had been provided to the Board. He indicated that the staff of Springettsbury Township could attest to the fact that the auditors were all over the Township this year, fire hall, EMS billings, economic development looking at internal control. There were no major internal control issues. The Township had worked very diligently in developing internal control structures to maintain good accounting and reporting procedures. He gave a credit to the administration for their efforts in developing a policy and procedure manual and a good internal control structure. There were no major issues as far as internal control and no reportable findings/conditions in the organizational structure.

He reported a clean report from all aspects. He provided some suggestions for improvement in the operations of certain aspects dealing with several items as part of the management letter, plus an update of items that were in prior year's management letter and the efforts made by management to correct or improve those areas as recommended by the auditors last year.

**HOLMAN**

Mr. Holman thanked Mr. Hadge and his staff for all of their work during the year, as well as all the other Directors for utilizing the purchasing systems and all the policies. All of the systems and recommendations made by the Auditors for improvement are being implemented.

**SCHENCK**

Chairman Schenck stated that he holds a position on the Board of the Volunteer Fire Company. They believe that when the Township does its audit, because their operation is audited, that it justifies they have a clean process there for handling their finances. Chairman Schenck indicated that he disagrees with their thinking 100%. The inclusion of their information in the Township audit is basically a report of what they advised actually exists. Their procedures were not audited at all.

**REINER** Mr. Reiner responded that some of their procedures had been audited in conjunction with obtaining the financial information represented there. They did not actually audit the entire component unit. All the representation from all the various investments as far as the existence of investments and financial records are audited and the reporting of transactions, etc. by the Fire Company. However, they do not actually go through a complete internal control review of that aspect specifically.

**SCHENCK** Chairman Schenck asked if he could report that information back to the Fire Company.

**REINER** Mr. Reiner stated that they would issue an opinion on materiality as it related to the Township as a whole with the Fire Company. However, they do not audit all the procedures of the Fire Company.

**DVORYAK** Mr. Dvoryak thanked Mr. Hadge for his hard work and efforts. It does take a lot of hard work and dedication to achieve those kinds of results.

The Board members echoed their thanks to Mr. Hadge.

**HOLMAN** Mr. Holman asked for an acceptance of the audit report.

**HADGE** Mr. Hadge added that, in order for the report to be published, the Board would need to accept it.

**MR. GURRERI MOVED TO ACCEPT THE 2004 AUDIT REPORT OF SAGER, SWISHER AND COMPANY, LLP. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Resolution No. 05-48 – Accepting Offer of Dedication for Public Use Certain Real Estate Adjacent to East Market Street and Haines Road (Weis).**

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 05-48. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-49 – Accepting Offer of Dedication for Public Use Certain Real Estate Adjacent to Haines Road (Walgreens).**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-49. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 05-50 – Establishing and Imposing a Sewer Tapping Fee, Connection Fee and Customer Facilities Fee**

**MR. GURRERI MOVED TO ADOPT RESOLUTION 05-50 ESTABLISHING SEWER TAPPING FEE, CONNECTION FEE AND CUSTOMER FACILITIES FEE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck noted the extensive work that Mr. Hodgkinson and his team had put into Resolution 05-50.

- D. Resolution No. 05-51 – Transfer of Liquor License – Mannino Brothers, LLC**

**SCHENCK** Chairman Schenck stated that a Public Hearing had been held earlier during the evening.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-51, TRANSFER OF LIQUOR LICENSE, MANNINO BROTHERS, LLC. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Resolution No. 05-52 – Suggested Appointment of William P. Bender to Zoning Hearing Board to Fill Unexpired Term of Judith Fisher.**

**SCHENCK** Chairman Schenck noted that Mr. Bender currently serves as an alternate to the Zoning Hearing Board.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-52 APPOINTING WILLIAM BENDER TO THE ZONING HEARING BOARD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

- A. Board of Supervisors Work Session – Trash Contract – March 16, 2005**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION, TRASH CONTRACT, MARCH 16, 2005 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT PRESENT.**

- B. Board of Supervisors Public Hearing – May 26, 2005**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING, MAY 26, 2005 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. DVORYAK ABSTAINED AS HE WAS NOT PRESENT.**

- C. Board of Supervisors Regular Meeting – May 26, 2005**

**MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING AS PRESENTED. CHAIRMAN SCHENCK WAS SECOND. MOTION CARRIED. MR. DVORYAK ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

- A. Change of Location – July 28, 2005 and August 25, 2005 Board of Supervisors Meeting (July to be held in Township Building and August in Springettsbury Park Pavilion).**

**SCHENCK** Chairman Schenck noted that there had been discussion about holding the July meeting in the Park Pavilion. However, due to a conflict with Shakespeare in the Park that evening, the meeting will be held in the Board Room. He asked whether the August meeting could be held in the Pavilion.

**Consensus of the Board was agreement to hold the August Board of Supervisors meeting in Springettsbury Township Park Pavilion.**

**14. NEW BUSINESS:**

- A. Presentation of 2004 Audit Report – Sager, Swisher and Company, LLP**

**SCHENCK** Chairman Schenck noted that this presentation had been made during the Manager's Report portion of the meeting. The report had been accepted.

- B. Acknowledge Receipt of Resignation of ZHB Member Judith Fisher**

**MR. BISHOP MOVED TO ACKNOWLEDGE RESIGNATION OF JUDITH FISHER FROM THE ZONING HEARING BOARD WITH REGRETS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri stated that Ms. Fisher had done a good job and had questioned and discussed issues openly. He suggested that her service to the Township be acknowledged with a letter.

- C. Authorization to Advertise Ordinance – 25 MPH Speed Limit on Overview Drive**

**MR. GURRERI MOVED TO AUTHORIZE THE ADVERTISEMENT OF AN ORDINANCE FOR 25 MILES PER HOUR SPEED LIMIT ON OVERVIEW DRIVE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Acknowledge Receipt of May 31, 2005 Treasurer's Report**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 23, 2005  
APPROVED**

**MR. GURRERI MOVED TO ACCEPT THE RECEIPT OF THE MAY 31, 2005  
TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**E. Appointment to Park and Recreation Board – Sylvia Weber**

**MR. BISHOP MOVED TO APPROVE THE APPOINTMENT OF SYLVIA LEBER TO  
THE PARK AND RECREATION BOARD. MR. GURRERI WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:15 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 23, 2005 at 5:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT IN ATTENDANCE:** Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
John Luciani, First Capital Engineering  
Charles Rausch, Solicitor  
Dori Bowders, Manager of Administrative Operations  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 5:45 p.m. He stated that the purpose of the Public Hearing was for the transfer of Pennsylvania Liquor License No. R-18268 to Mannino Brothers, LLC.

**2. NEW BUSINESS:**

**SCHENCK** Chairman Schenck stated that Attorney Ron Perry, Counsel for Mannino Brothers, was present, along with Joe Mannino.

**PERRY** Attorney Ron Perry stated that the facility had been operating as a pizza restaurant with a Brew Pub license. It had been operated by the LCB without incident. He indicated that Mr. Mannino could respond to any specific questions about the operation as planned.

**RAUSCH** Solicitor Rausch asked where the property is located.

**PERRY** Attorney Perry responded that the property is located at 3220 East Market Street operating currently as Marcello's serving pizza and soft drinks. It was previously known as the Brickhouse Brewpub with the prior owners, Joe Grignola.

**SCHENCK** Chairman Schenck asked whether the Brewpub license was a separate liquor license.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

**PERRY** Attorney Perry responded that he was correct. There are no restrictions on the numbers of those; however, there are restrictions on brewing the beer, what kind of beer will be brewed, how much will be brewed, and bottles cannot be sold. Permission is granted to sell the beer in certain types of containers for removal from the facility, which they did.

**SCHENCK** Chairman Schenck asked Mr. Mannino whether he had any experience in operating a facility that serves alcohol.

**MANNINO** Mr. Mannino responded that he has had such experience.

**SCHENCK** Chairman Schenck asked whether he had any experience dealing with unruly or disruptive patrons.

**MANNINO** Mr. Mannino indicated he had no trouble in his operations.

**SCHENCK** Chairman Schenck asked where he currently operated an establishment with a liquor license.

**MANNINO** Mr. Mannino responded that currently he does not operate an establishment. However, he had previously operated a downtown store with a liquor license.

**SCHENCK** Chairman Schenck asked how much of the revenue Mr. Mannino would expect to receive from alcoholic beverages versus food.

**MANNINO** Mr. Mannino responded that from the previous downtown store about 30 to 40% alcohol.

**RAUSCH** Solicitor Rausch asked Mr. Mannino to clarify that this will be a restaurant and not a night club, and also asked him to state the expected hours of operation.

**MANNINO** Mr. Mannino responded the facility would be open Tuesday through Sunday, 11 a.m. to 10 p.m.

**SCHENCK** Chairman Schenck asked whether he was proposing to add a bar in the future.

**MANNINO** Mr. Mannino responded he had no plans to add a bar.

**SCHENCK** Chairman Schenck stated for the record that the license would come from Bentzel's Mill in Manchester, a facility that had been closed for some time.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APROVED**

**SCHENCK** Chairman Schenck asked whether the Board had any further questions. Hearing none, he asked for public comment. Hearing none he stated that the application appeared on the Agenda for action during the meeting starting at 7 p.m.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the Public Hearing at 5:53 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 23, 2005 at 6:00 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

**MEMBERS NOT IN ATTENDANCE:** Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
John Luciani, First Capital Engineering  
Charles Rausch, Solicitor  
Dori Bowders, Manager of Administrative Operations  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6 p.m. and explained that this was a Special Public Hearing regarding the Proposed Methadone Treatment Facility on County land.

**2. NEW BUSINESS:**

**A. Act 10 Public Hearing: Methadone Treatment Facility**

**SCHENCK** Chairman Schenck asked Solicitor Rausch to explain the reason for the hearing relating to the Township's responsibility and how the Board would proceed.

**RAUSCH** Solicitor Rausch explained that the Pennsylvania Municipalities Planning Code requires that when a methadone treatment facility is closer than 500 feet from an existing school, public playground, public park, residential housing area, child care facility, church or meeting house or other place of worship, the governing body may approve a methadone treatment facility. The purpose of this hearing is to determine whether or not there is some housing within the 500 foot radius of the proposed facility. The Board's purpose is to take public comment in order to help determine whether or not the methadone treatment facility should be located where it is proposed. The hearing was advertised in accordance with the Planning Code. The structure of the hearing will be that the applicant, which is the County of York, will present its testimony. The Board will have an opportunity to ask questions, and members of the audience may ask questions and provide comment. He requested that before anyone speaks they would provide their name and address for the record and that only one person speaks at a time. Each will address the Board.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- SCHENCK** Chairman Schenck stated that the same law that triggered the hearing also indicated that no formal action could be taken on the application for 15 days after the hearing.
- RAUSCH** Solicitor Rausch indicated that the Regular Board Meeting will begin at 7 o'clock in one hour. The board can receive testimony during that one hour. If not, the hearing will have to be re-scheduled at another date and time.
- FLANNELLY** Solicitor for York County, Mike Flannelly, indicated that Mr. Steve Warren would address the potential methadone treatment facility. Solicitor Flannelly clarified that the facility is not within 500 feet of the neighborhood. The property line for the County is within 500 feet of the residential neighborhood. He added that Mr. Warren would explain further.
- WARREN** Mr. Steve Warren, 872 Grandview Road, stated that he had served in the capacity of the County Administrator for the York Adams/Mental Health/Mental Retardation and Drug and Alcohol Program for 22 years. The behavioral health program is a publicly-funded, managed care program for individuals who are recipients of medical assistance. In Pennsylvania several years ago the decision was made to switch from a straight fee for service model to a managed care model. County governments were given the opportunity to administer all the behavioral health services under the health choices program, the behavioral health and the physical health care for an individual who is on medical assistance. The behavior health care includes a variety of different mental health and substance abuse treatment services. In York County the contract is directly between the County Commissioners and the Department of Public Welfare. His office administers the contract through a subcontract with a managed care organization. The scope of the contract is approximately \$50 million a year in public funded mental health and drug and alcohol treatment services.
- FLANNELLY** Solicitor Flannelly asked him to focus on the information regarding the program standards and requirements in York County.
- WARREN** Mr. Warren responded that, as a primary contractor, there are health choices standards and requirements that must be followed. In this case that is York County. This is an entitlement program for individuals who are eligible for the federal medical assistance program. Whatever treatment needs that they require, the County and the MCO are required to provide that service. He added the following points:
- Methadone is part of the list of services required.
  - Geo-access service requirements must fall within 30 minutes travel time.
  - Adams County would fall within a 60-minute travel time access.
  - York County is non-compliant for methadone maintenance.
  - Nearest clinics are Harrisburg and Baltimore.
  - York Countians must access via County vans at cost of about \$100,000 a year.
  - County must apply yearly for a waiver for service it is unable to provide.

- Initial waivers built upon fact that they had been searching for location for 12 years.

**BISHOP**

Mr. Bishop asked whether there were consequences with non-compliance issues other than having to obtain a waiver.

**FLANNELLY**

Solicitor Flannely responded that the consequence would be that the contract would be in jeopardy and the County potentially could lose the ability to contract with DPW. What that does is have significant ramifications for our citizens in that if the County isn't the primary contractor with Department of Public Welfare, they will go out and select their own managed care company. The County will have no control over that organization, the types of service they provide, the quality of the service, and whoever that MCO would be will have to do the same thing and that is find a location for a methadone clinic. He provided an overhead drawing of the complex and identified the boundary lines for the property, the York County property lines, the existing buildings on the property including the Youth Development Center, Pleasant Acres complex, proposed building facilities includes the 911 Emergency Services Center, and the methadone treatment program. The larger part of the methadone facility would be the non-hospital de-tox and rehabilitation facility. This will be a very comprehensive substance abuse treatment program for the citizens of York County. He asked Mr. Warren to provide the Board with a general description of what goes on in the building on a daily basis with hours, etc.

**WARREN**

Mr. Warren responded that the hours will be from 6 a.m. to 11 a.m. 7 days a week. The program will staff approximately 10 employees to start. They anticipate initially approximately 40 individuals from the community that would begin to receive treatment. There is a very large heroin problem throughout York County, and it is anticipated that there would be an increase in the number of citizens that would benefit from the program.

**FLANNELLY**

Solicitor Flannely asked him to describe to the Board what happens from the standpoint of somebody who is involved in the treatment when they walk in the door.

**WARREN**

Mr. Warren responded that the majority of individuals would either come to the facility through public transportation which is anticipated to be accessed at this location. Others will come in their own private vehicles. Many individuals who attend will also hold jobs. That is one of the reasons why the hours are such that many people will stop there in the morning before they go to work or if they work third shift will stop before they go home. Basically the length of time of their visit at the clinic would be approximately 15 minutes. They would come in, register with the receptionist, a certified medical professional primarily a nurse would meet with them and take them back to a private location and see that they get their dose of methadone. They would watch them drink the methadone and then they would leave and go about their day.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- FLANNELLY** Solicitor Flannelly asked Mr. Warren to describe to the Board, from the standpoint of access, what would be the primary means of access to the building coming from the west, north or the south.
- WARREN** Mr. Warren responded with the overhead and explained that the majority of the entrance and egress would be through Mt. Zion Road/Concord Road. Public transportation is available to the prison, which is anticipated to continue. An additional entrance would be the Pleasant Acres Road with directional signage.
- FLANNELLY** Solicitor Flannelly asked whether anyone would walk to the facility.
- WARREN** Mr. Warren responded no, not at all.
- FLANNELLY** Solicitor Flannelly indicated that for those individuals who access the facility by public transportation, the amount of time that they would spend there would be dictated by the amount of time the next bus comes through.
- WARREN** Mr. Warren responded that he was correct.
- FLANNELLY** Solicitor Flannelly stated that Davies Road is a road that could also be used to access the facility.
- WARREN** Mr. Warren responded that he was correct.
- FLANNELLY** Solicitor Flannelly asked whether it was anticipated that the road might be extended to Market Street.
- WARREN** Mr. Warren responded that he believed it had been planned to run the road through to connect with East Market Street.
- FLANNELLY** Solicitor Flannelly commented that eventually people using the facility would not access off of Pleasant Acres Road.
- WARREN** Mr. Warren responded that he was correct; they would either access through Davies or off of Mt. Zion Road.
- FLANNELLY** Solicitor Flannelly concluded his questions of Mr. Warren.
- DVORYAK** Mr. Dvoryak noted that he mentioned that initially 40 people are expected to participate in the program and it is expected to grow. He asked whether any statistics are available on what the growth rate had been the past few years as far as participation.
- WARREN** Mr. Warren responded that it had been documented in the PowerPoint presentation, which will indicate the growth in heroin users in York County over a period of a number of years.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- BISHOP** Mr. Bishop asked whether he had any idea how that would translate into potential patients at this location.
- WARREN** Mr. Warren responded that it would be a guess on his part. The program, if in full operation, would be able to accommodate approximately 300 individuals a day in terms of the size of the facility, but again this would be ramped up over a period of time.
- BISHOP** Mr. Bishop indicated that the 40 number is based on what is observed with individuals who go to Harrisburg and Baltimore.
- WARREN** Mr. Warren responded he was correct. There are some people that go there that have private insurance through their employer that pays for that. They are only talking about the public-funded consumer for which they are responsible. There are a number of commercial insurances that include this in their benefit package.
- GURRERI** Mr. Gurreri asked whether there would be individuals from other communities who would come here as well.
- WARREN** Mr. Warren responded that there would certainly be that possibility; however, they would expect the primary clientele would come from York County.
- GURRERI** Mr. Gurreri asked whether people could be housed at this facility.
- WARREN** Mr. Warren responded that no one would be housed at this facility; however, the non-hospital de-tox and rehab is a residential facility, which does not fall under Act 10.
- RAUSCH** Solicitor Rausch asked whether the audience had any questions for Mr. Warren.
- Resident** How often do the buses come by?
- WARREN** Mr. Warren responded that he could not answer the question. He had met with Rabbit Transit, which had assured him that they run a regular bus route out to the prison and it would be no problem for them to extend that route to this facility. However, he did not have the information in terms of the number of routes.
- Resident** You said eventually you could handle as many as 500 clients?
- WARREN** Mr. Warren responded no, 300.
- Resident** Okay, 300 and it will be done between the hours of 6 a.m. and 11 a.m.
- WARREN** Mr. Warren responded that the hours could expand if the number of people expands. The goal would be to provide this service to the community and those individuals who are in need of it. They know what the treatment numbers are,

but whether individuals are going to be interested in this treatment cannot be predicted at this point.

**Resident** You said there's a 30 minute transportation thing?

**WARREN** Mr. Warren responded 30 minutes was the geo-access requirement.

**Resident** So for the majority of participants they would have to live within that 30 minutes. Wouldn't it be wiser to put the facility somewhere closer to where the majority of people are?

**WARREN** Mr. Warren responded that in the geo-mapping, this facility would be ideal to address that 30 minutes.

**Resident** According to the map it looks like the majority are closer to the center of town.

**WARREN** Mr. Warren responded that it was less than 30 minutes from this site.

**Resident** Wouldn't it be wiser to put it there?

**WARREN** Mr. Warren responded that they believe this site meets the best in terms of the intent of the Act 10 to be 500 feet away from the various criteria, whether it's a community neighborhood or playground, there are very few locations in downtown York that would fall outside of that requirement. There are many churches, schools, neighborhoods in downtown York and they had looked at many sites. Over the past 12 years he had been involved in looking at several hundred locations throughout York County.

**Resident** And this is the only one that you've come up with over those several years?

**WARREN** Mr. Warren responded that they had come up with a number of them, but for one reason or another, they didn't meet the Act 10 requirements or they were faced with a lot of neighborhood opposition.

**Resident** So you're not only talking about the methadone treatment center, you're also talking about in the same facility a mental illness facility where you would house patients in addition to the methadone program, alcohol treatment center?

**WARREN** Mr. Warren responded no; in addition to the methadone program, the site would also locate a non-hospital de-tox and rehab program.

**Resident** That would have in-patients?

**WARREN** Mr. Warren stated that was correct, but it was not connected with the hearing tonight. That facility does not require an Act 10 hearing.

**Resident** If I'm not mistaken I think public transportation is every hour. And you said how long would this take?

- WARREN** Mr. Warren responded that it would take approximately 15 minutes.
- Resident** So what are they doing for the next 45 minutes?
- WARREN** Mr. Warren responded they would be waiting for the bus to arrive.
- Resident** In my back yard?
- Resident** They might extend the time of the bus.
- SCHENCK** Chairman Schenck asked a procedural question as far as the package of information the Board had been given. He noted that the package included a lengthy group of PowerPoint slides. He asked whether they intended to present the entire package.
- FLANNELLY** Solicitor Flannely responded that he was correct. He added that they had been instructed to keep things moving along quickly.
- SCHENCK** Chairman Schenck suggested to move ahead with that presentation.
- FLANNELLY** Solicitor Flannely introduced the next speaker and asked him to identify himself and indicate how he is employed.
- CARROLL** Mr. John Carroll stated his address as 118 Hill Dale Road, Lansdowne, Pennsylvania. He stated he works as an independent consultant, and is assisting Pyramid Health on the design and start up of this program.
- FLANNELLY** Solicitor Flannely asked him to explain Pyramid Health.
- CARROLL** Mr. Carroll responded that Pyramid Health is the provider that had worked collectively and collaboratively with York County to develop the idea.
- FLANNELLY** Solicitor Flannely asked him to explain briefly to the Board his background in this area of methadone treatment.
- CARROLL** Mr. Carroll responded that he had 31 years of experience in this field starting out as a young counselor in a clinic in inter-city Philadelphia. He had since developed expertise and experience in all aspects of this field. Three years ago he became an independent consultant focused on helping and supporting individuals such as Mr. Warren.
- FLANNELLY** Solicitor Flannely asked Mr. Carroll to quickly move through the PowerPoint presentation.
- A summary of the presentation follows:
- Pyramid Health Care – Accredited and one of largest DNA providers in Pennsylvania.

- Methadone – A drug to treat opiate addiction.
- Heroin – Powerful and effective pain killer; very quick addiction to it.
- Columbians developed big business in 1996 with aggressive marketing to children.
- Epidemic proportions over the Eastern Coast.
- Heroin affects physical body and changes brain structure in a percentage of individuals.
- People who are afflicted with the brain disease are unable to feel normal without some sort of medication such as methadone.
- Relapse rate for improperly treated heroin addicts is nearly 100%.
- Methadone blocks the ability to get high.
- Heroin use becomes a vicious, expensive cycle with needle usage and crime.
- Three goals: Eliminate withdrawal symptoms, reduces craving, blocks ability to get high; give people a normal life.
- Pregnancy – Methadone is drug of choice to treat pregnant heroin-addicted women.
- Methadone brings community hope for delivering healthy babies and a form of healthcare.
- System ends up paying the price for babies who aren't able to get proper care.
- Reduction of HIV infection due to less needle usage.
- Crime reduction by nearly 80% – Habit costs approximately \$200 to \$220 a day.
- Cost savings to taxpayers – Every dollar spent on treatment saves system about \$7.00 or more.
- York/Adams – Many citizens need treatment; must go to Harrisburg or Baltimore.
- State required service under entitlement in the state of Pennsylvania.
- Clinics – Very few nationwide. Pennsylvania requires and views it as a comprehensive treatment with additional services with rigorous counseling integrated.
- Medicaid is part of the required service offered.
- Pennsylvania state-regulated and licensed health care program directed by a physician.
- Methadone highly regulated and administered in liquid form orally by nursing staff.
- Drug Enforcement Agency – Rigorous security standards; difficult to maintain.
- CSAT – Deals with efficacy. Must pass accreditation just as hospitals do.
- Community asset – It saves lives and restores families.
- Community liaison – Individual accountable to community.
- Reduction in costs of incarceration.
- Regulatory requirements: 1 counselor for no more than 35 active clients; 1 nurse for every 200 patients, 1 physician hour for each 10 clients.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- FLANNELLY** Solicitor Flannely asked whether an individual could operate a vehicle following receiving the methadone dose and whether Pennsylvania law would prohibit that.
- CARROLL** Mr. Carroll responded that an individual could operate a vehicle. Pennsylvania law does not prohibit that.
- FLANNELLY** Solicitor Flannely asked whether there was any proven history of increased crime around any other of the 900 facilities in existence in the U. S.
- CARROLL** Mr. Carroll responded that there was no increased crime, just the opposite.
- FLANNELLY** Solicitor Flannely asked whether Pyramid, the provider, would have the right to exclude individuals who misbehave around the facility.
- CARROLL** Mr. Carroll responded that as individuals engage in the treatment, behavior is managed through behavioral contracts and standards which are extraordinary as it is a second level of treatment.
- SCHENCK** Chairman Schenck called for questions from the Board members.
- GURRERI** Mr. Gurreri stated that it was unfortunate to have the situation in society today but that it needed to be addressed. He asked why only 40 people couldn't receive the same treatment with methadone at the hospital.
- CARROLL** Mr. Carroll responded that it is very specialized and some hospitals do offer the treatment. They are typically not very well versed in doing such because of all the extra costs. It is a very low return type of program compared with cardiac surgery. There is a lot of regulation, a high degree of difficulty in running the operation, and from a hospital's point of view it's difficult. Specialists are needed, and the rules apply to hospitals as well as other providers.
- GURRERI** Mr. Gurreri commented that the methadone clinic gives people a life. They can go to work and be productive people. It's a real bright spot.
- CARROLL** Mr. Carroll agreed that it was a bright spot. He had 31 years of perspective with the life-saving, life-sustaining medication. Today with accreditation, standards, physicians and quality providers very good outcomes can be attained.
- DVORYAK** Mr. Dvoryak asked what the average time would be involved until a heroin addict would be cured and no longer need to go for treatments.
- CARROLL** Mr. Carroll responded that if an individual would be within the unfortunate group that has brain chemistry changes, there is no time limit. We gage how they do with the treatment. Recovery means a person gets their life back. He explained the stages:
- Person gets life back on track living life in a positive way.
  - A person weans themselves from the dosage with 30, 60-day measurements.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- Continual monitoring to improve weak areas.
- Access time and length of history with patients.
- Can achieve positive outcomes in 6 months.
- Could be addicted to other prescription drugs.

**SCHENCK**

Chairman Schenck stated that he had conferred with the Vice Chair and Solicitor Rausch concerning the length of the public hearing. Because everyone made an effort to get out, we're going to postpone the start of the Regular meeting until 7:30 p.m. Several people signed up to speak and Chairman Schenck wanted to be sure they had a chance to speak. They would like to conclude the hearing this evening. He apologized to everyone who attended for the regular meeting but it will begin a half hour late. Some time will be allowed questions for Mr. Carroll from the public. He asked the attendees to phrase their comments as questions as opposed to debate. Everyone was present to learn.

**Resident**

How long is the treatment?

**CARROLL**

Mr. Carroll responded that the resident was speaking about the length of treatment, which is driven by the individual's circumstances. As in all medical treatment, it varies depending on severity of the diagnosis. There are people that can come through and get their life back on track and do it in a short time; however, that usually is not the case. It's usually much longer than that. Their job is to get people to the best they can be. It's tough to change a life in six months in a meaningful way, but there is no set limit at all.

**Resident**

The size of the facility now - are you looking to expand in the future because it is a lot of vacant ground around it.

**CARROLL**

Mr. Carroll responded that he only had a small part in the plan. It is a County plan and a comprehensive one. The idea is to start the program and, as they go forward, determine the needs of the community. It is an ideal site as it is County property with public services surrounding it. Nothing that he had been privy to says it would be a great big program.

**Resident**

We've all seen the county jail increase in size.

**CARROLL**

Mr. Carroll responded that if the program is running the way it should be, the number of people going to jail will be reduced. There is an extraordinarily high number of people who are locked up because they have unchecked addiction.

**GUNNING**

Mr. Paul Gunning of 2205 East Philadelphia Street, resident of Springettsbury since 1970 stated some of his concerns summarized below:

- He had operated the first methadone clinic as part of York Hospital; it has value.
- De-tox center will provide comprehensive treatment system in conjunction with clinic.
- Must be sure that candidates are residents of York and Adams County; others will be attracted.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- All current methadone clients given opportunity to de-tox
- Monitor young people on methadone; it is a difficult drug from which to de-tox.
- York County has growth of Narcotics Anonymous; availability of treatment options.
- The site is the best possible site.
- Only limitation would be to not exceed 50 in clinic because of community impact: transportation, employment and housing.
- Ratio of 1:6; 1:8 would be fairly decent.

- Resident** The gentleman says that a client would come in on a bus, get off the bus, come in the building, sign up, walk five yards, have his methadone drugs, 15 minutes and then wait 45 minutes to wait for the bus. This gentleman is saying counseling, and I understand that. It's needed. Where in this 15 minutes does this counseling come in?
- CARROLL** Mr. Carroll responded that it's primarily a counseling service which would occur twice a week when the individual would come in for medication.
- Resident** So now the methadone treatment center is now methadone counseling de-tox?
- CARROLL** Mr. Carroll stated that the de-tox part of it is a different part of the facility. This particular program is a counseling program that uses medication; that's how it's licensed.
- Resident** Okay. You also said that York Hospital does not have the specialized facilities and the specialized training of personnel to be able to do this at their facility?
- CARROLL** Mr. Carroll stated that the gentleman asked why not hospitals. He explained that it is a complicated modality, which is difficult and costly. He referred to previous comments concerning the low revenue.
- WARREN** Mr. Warren stated that he wanted to address the question about the hospital. In the 12 years that he had been attempting to get this program in York he had approached the York Hospital and Memorial Hospital several times. They were never interested in running this program primarily for financial reasons and space reasons, etc.
- WARREN** Mr. Warren commented on the discussion surrounding the bus. He had spoken with an employee of Rabbit Transit who advised that a bus goes to the prison every half hour. So again, that would obviously cut the waiting time down in half to 15 minutes or less.
- Resident** Now are we talking clients from Adams and York County?
- WARREN** Mr. Warren responded that he was correct.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- Resident** Would it be maybe wiser to build on acreage closer to Adams County? There's plenty of open land outside the city that direction.
- WARREN** Mr. Warren stated that over 12 years he had looked at many sites. The opportunity had arisen to locate it on the County property, and given the other County services believe it's the best site centrally located to serve the largest population. Adams County will continue to be a problem. That's something we will continue to be addressing with Adams County.
- BISHOP** Mr. Bishop asked whether Mr. Warren could provide a rough idea as to how many communities had turned him down.
- WARREN** Mr. Warren responded that half a dozen actually turned them down; there are others where they made the decision not to pursue it because they didn't feel it was a good location even though it would've fallen under Act 10 requirements. They had been working with local realtors and had looked at several other properties in Springettsbury Township. They believe this is the best location for York County and its citizens given the other county services.
- SCHENCK** Chairman Schenck asked whether there were any other questions for the presenters. Hearing none, he called on the list of those who signed up to speak.
- MATSON** Rochelle Matson, 3565 Heindel Road, spoke against the facility. She reported that the facility would be located in her back yard. She was very concerned for her two children, ages 12 and 3. The 12-year old catches the bus at 7 a.m. at Heindel and Concord Road. She could imagine people getting on and off the bus and walking by her home to the facility. She had moved from Los Angeles where a clinic was located on every corner, along with a lot of loitering. Her sister is a heroin addict, and her brother died of a heroin overdose, neither of which was trustworthy even while receiving methadone treatment. She stated that she was in favor of helping people become drug free, but not with replacing one drug for another.
- ROHRBAUGH** Robin Rohrbaugh, 1507 Third Avenue, spoke in favor of the facility. She is Executive Director of Healthy York County Coalition, a community-organized group which conducts a health assessment in York County every three years. Task forces then are created to address specific issues in communities. There is a behavioral health task force that is actively supporting the creation of the methadone clinic at the suggested site. The available assessment data indicated a 50% increase in crime in York County from 2000 to 2003. The methadone clinic will help greatly in reducing the crime. Data compiled regarding drug and alcohol treatment had been received from York Hospital; however, there are other hospitals and places where residents choose to go for treatment, so that is a partial picture of the need in York County. She provided packets of information and letters of support. One was from the Medical Executive Committee of York Hospital; the second from the Director of Women and Children's Services at York Hospital; the third on behalf of Healthy York County Coalition; fourth from York Hospital's Behavioral Health Chairperson.

- HOLLOWAY** Jerry Holloway, 141 Sylvan Drive, spoke against the facility. He and his family, including grandchildren he is raising, had resided in Springettsbury Township since 1969. There had been very few problems in their neighborhood throughout those years. His concern comes from observation of recovering addicts, which he did not consider trustworthy. He wondered whether it would be safe for his grandchildren and family.
- REMSON** John Remson, 2240 Dixie Drive, spoke in favor of the facility. For the last several years he and his wife had transported his son, a heroin addict, either to Harrisburg or Coatesville for treatment on a daily basis. The benefit to his son in his recovery was significant enough that they decided to do so. He indicated it took hours out of everyone's life, and may even discourage some individuals from going for treatment. He stated it was time for a clinic to be built in York County. Having transported his son for so many years, he had spent a lot of time waiting in parking lots for him. If it were not known to be a methadone clinic, no one would be aware of it. He thought a fair description would be a doctor's office, cars coming in and dropping off clients. There are transportation vans, but never a backlog of people in the parking lot, nor had he observed any loitering.
- JAMES** Kent James, Yorklyn, spoke against the facility. His neighborhood has a very high population of children, which is his main concern. He agreed that there is a need for the clinic; but unfortunately, he disagreed with the suggested location, which is very near their development. Stoneybrook Elementary School is within two to three minutes of driving time from where the clinic will be. He noted that heroin is a very strong drug, and sometimes addicts are unstable. He was not blaming them, just stating a fact. He wondered whether the unstable people should be directed to an area so close to the children and the schools. The residents in the development just want a safe place to raise their families.
- ROBINSON** Leslie Robinson, MD, York resident, spoke in favor of the facility. She had moved to York in 1975 for medical training and since then had been an OBGYN in the York community. She had delivered about 1500 babies. She addressed her support for the facility as an Obstetrician. If a heroin addicted woman becomes pregnant, they have very little choice but that the heroin hurts the baby. Coming off the heroin also hurts the baby, so they're stuck in the rock and hard place decision. In York County there is no place for them to be able to get off of heroin and onto methadone, which is a safe way to be pregnant if one is a heroin addict. Just as York County should take care of its own, many other communities have limits as well on the number of people they can treat, and therefore, it is not always easy to get someone who wants to come off of heroin into the Harrisburg, Coatesville or Baltimore facility. Those who are on heroin very often do not have the resources or family who will support and drive them every day. She indicated that York County desperately needed a methadone clinic the addicts in this community.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING  
DONOVAN**

**JUNE 23, 2005  
APPROVED**

Michael Donovan, 363 Hillcrest Road, spoke in favor of the facility. Mr. Donovan had served for over three years as an Advisory Board member of Drug and Alcohol for the Commissioners of York County. He is a recovering addict, an alcoholic. He had gone through treatment and a non-toxification center, and had since been very involved with the recovering community. He had been personally involved in addicts' lives and considered addiction an illness. He had received the right kind of help and had successfully recovered. He supported the methadone clinic because it's a place where people come and recover. He understood the citizen concerns. Statistics show if people can get help and a solution, then they can make a personal choice. He represented the recovering community of York County and is very involved from prison to de-tox to help people get free. He hoped the Board would make a favorable decision.

**SMITH**

Tracy Smith, Stewart Drive, spoke against the facility. She understood the need for a drug and alcohol clinic in the York area. She had worked at York Alcohol and Drug Services. She and her husband just moved into the neighborhood last November, which they considered a nice safe place to raise a family. She is pregnant with a child due in December. She had made choices in her life not to use drugs or alcohol, and continues those choices to raise a healthy child. Her concern was for her child's safety in the future. She did not think it was necessary in the suggested location because of the close proximity to the school and families with children in the area.

**SCHENCK**

Chairman Schenck thanked those who spoke. He stated that this was a public hearing required by the state code. Had the facility been planned for an area not within 500 feet of homes or churches, etc., it would be allowed by right because it is defined as a medical facility. The trigger here was the fact that the location is close to some homes. He stated that the Board would review the documentation provided and indicated the Board would not act for at least 15 days. The next regularly scheduled meeting is July 28<sup>th</sup>.

**RAUSCH**

Solicitor Rausch asked Solicitor Flannery, whether it was the County's position/testimony that the facility will not be within 500 feet of the property line.

**WARREN**

Mr. Warren responded that they are working off the property line. The facility itself is more than 500 feet away from any residential use.

**RAUSCH**

Solicitor Rausch noted that there is one residence 500 feet away.

**WARREN**

Mr. Warren responded that he was correct.

**SCHENCK**

Chairman Schenck asked whether any Board members had comments or questions.

**GURRERI**

Mr. Gurreri noted he'd like to see the concerns addressed by the people on Sylvan Drive in Yorklyn area who discussed people coming into their

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

community. Mr. Gurreri commented that they might already be living there. He asked whether Mr. Warren could address that concern.

**WARREN**

Mr. Warren commented that he had been to the Coatesville, Baltimore, Harrisburg and Reading clinics. In all cases it would seem similar to another doctor's office with cars pulling up and leaving or individuals riding public transportation. Most of the individuals have jobs and it would not be anticipated they would be loitering in the neighborhood.

**Resident**

Are there any statistics that show that before or after a clinic, what happens to the surrounding neighborhood that there may be an increase in crime or anything related?

**WARREN**

Mr. Warren responded that for the clinics they are familiar with there had been no demonstrated increase in crime at all. They had been in touch with law enforcement in those areas and it had not been indicated. Of course, there is never any guarantee.

**GURRERI**

Mr. Gurreri commented that most the people who go to the clinic are the ones that want help, and they're working people. The idea of getting a methadone clinic is for individuals to go there to get help so they can go to work. He understood that and noted that people have a choice.

**Resident**

A statement was made that if an individual was picked up by a police officer, that the next time they'd have a choice of either jail or the methadone clinic. If you have a choice, that's going to send people there that don't want to be there but don't want to go to jail.

**WARREN**

Mr. Warren indicated that the police work jointly with the clinic. Recovery programs such as this are based on improving the community. Police very often have interactions with people that they can see are on bad courses. Police can use their influence to encourage people to get help. Judges very often can sentence people to get help. This type of modality doesn't accept court orders. It's a voluntary program. The people come in, they voluntarily admit themselves. The point was that the program is designed to help the community and is very much on the same side with the community including law enforcement, which is very supportive of these programs.

**SCHENCK**

Chairman Schenck appreciated all the comments. He asked for any further comments from the Board.

**RAUSCH**

Solicitor Rausch noted there had been a comment made about a community liaison. He wondered whether that was a requirement.

**WARREN**

Mr. Warren responded that it is a requirement.

**RAUSCH**

Solicitor Rausch asked who would appoint the liaison.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

- WARREN** Mr. Warren responded that the provider, Pyramid, would appoint the CEO as liaison under Chapter 715, which is part of the Department of Health Regulations for this modality. It is required to have a security plan, which includes the internal security, but also a designated community liaison position. Eventually it would be a person identified from the community or a Township designee.
- RAUSCH** Solicitor Rausch asked whether that was a state requirement.
- WARREN** Mr. Warren responded that the state enforces strict regulations. However, if a question arises about the way the place is being run, anyone on the Township Board could go right to the Department of Health, Department of Drug and Alcohol Licensing and request investigation. The provider is required to have the liaison position in place.
- BISHOP** Mr. Bishop commented that, once a facility such as this is in place, the municipality has very little power to do anything.
- WARREN** Mr. Warren disagreed and stated that Chapter 715 established a set of rules and regulations such as the community liaison, specifically designed to be pro-active with the community. If there's an issue something can be done.
- FLANNELLY** Solicitor Flannelly noted that the County Drug and Alcohol Program will be contracting with the provider and monitoring their performance very closely. There are opportunities to check performance.
- BISHOP** Mr. Bishop stated that he did not understand how any of that, including talking, would work. His 12 years of experience in working with the Commonwealth of Pennsylvania indicated that the Township typically only has one opportunity at any issue, and once approved or denied, there is little that can be done to make things change.
- BISHOP** Mr. Bishop stated for the people of Springettsbury Township that this public hearing was required. Every time the Board meets there is an opportunity for public comment. Anyone can come in and talk about any topic, and certainly prior to the Board making a decision on this subject there will be another opportunity for public comment at the beginning of the meeting where this is on the Agenda whenever that might be. The Board will meet on the 4<sup>th</sup> Thursday in July and the 4<sup>th</sup> Thursday in August and the 2<sup>nd</sup> and 4<sup>th</sup> Thursday in January for the rest of the year.
- HOLMAN** Mr. Holman stated that the Agenda is published the Friday prior to the meeting on the website, Springettsbury.com.
- HOLMAN** Mr. Holman requested a motion. Three communications were received with regard to this: (1) Resolution from York County Human Services Department; (2) Letter from Mr. Carlton B. Trottman, AOD Assessments, Inc.; (3) Letter from Allen R. Miller, Chairperson, Wellspan Behavioral Health in support of the

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JUNE 23, 2005  
APPROVED**

creation of a methadone clinic. They were received prior to this meeting by the Township.

**MR. BISHOP MOVED TO DOCUMENT THE RECEIPT OF A RESOLUTION FROM THE YORK COUNTY HUMAN SERVICES DEPARTMENT, A LETTER FROM MR. CARLTON B. TROTTMAN OF AOD ASSESSMENTS, INC., AND A LETTER FROM THE CHAIR OF WELLSPAN BEHAVIORAL HEALTH. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked everyone for coming. He stated that the next meeting would begin shortly.

**3. ADJOURNMENT**

**SCHENCK** Chairman Schenck adjourned the Public Hearing at 7:43 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 26, 2005 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

**MEMBERS NOT IN ATTENDANCE:** George Dvoryak

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

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He stated that Mr. Dvoryak would not be present. Both Mr. Dvoryak and Solicitor Rausch were attending an honors awards dinner for honor students. He added, for the record, that a former Supervisor, James Deitch, passed away on May 5<sup>th</sup>. He had served on the Board from 1984 to 1989. He also served on the Park and Rec Board for 15 years and was a very valued member of the community. He asked for a moment of silence for Mr. Deitch.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that no Executive Sessions had been held. However, it was anticipated that a session would be held following the meeting this date to discuss legal matters relating to the Dobson lawsuit and real estate interests.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck requested that those who speak would use the microphone and state name and address for the record.

**Weeds – Sheridan/Mundis**

**SNYDER** Mary Jane Snyder of Hammond Road requested action by the Board concerning the weeds at the corner of Sheridan and Mundis Mill Road where S&A Homes are being built. Several complaints had been filed with Mr. Henry, not only by herself, but also by neighbors. She stated that the weeds are higher than 18 inches. She asked when action would be taken.

**BAUGH** Mr. Baugh responded that a fine would be issued within a week.

**Speed Signs – Hammond Road**

**SNYDER** Ms. Snyder asked whether any speed signs, such as 15 miles per hour, would be placed on Hammond Road due to the new school opening. She stated that there is a lot of cut-through traffic. She was unaware of any posted speed signs.

**SCHENCK** Chairman Schenck responded that the staff would review the speed sign issue.

**Mt. Zion/Sherman Road Work**

**SNYDER** Ms. Snyder questioned when the road work would be completed at the corner of Mt. Zion and at the bottom of Mt. Zion and Sherman Street.

**SCHENCK** Chairman Schenck responded that, unfortunately, the school district had to acquire rights of ways, etc. for that work to happen, which caused some delays. It is planned to be completed by summer, 2006. There will be temporary traffic lights put up at the bottom of the hill even though the road work will not be completed.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided several updates on Eden Road, the BNR Study, Tapping Fees, and Barwood Road Sewer Projects.

**SCHENCK** Chairman Schenck suggested to have an update meeting with the residents of Barwood Road.

**SCHOBBER** Mr. Schober provided an update on the Long Range Planning for the collection system with a brief PowerPoint presentation.

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

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

**LUCIANI** Mr. Luciani provided several updates regarding a cost estimate of the Haines Road Median, PennDot permit, contributions made, cost estimates for a signal at Sheridan and Mundis, and Concord Road. Contributions had been received from adjoiners for construction. He indicated the costs are closely tied to the estimates. There were some drainage structures which added costs. Following discussion concerning the lanes, he indicated a review will be made of the Haines Road Traffic Study.

**5. ACCOUNTS PAYABLE:**

**A. Kinsley Construction, Inc. – Eden Road Relocation Project – Application for Payment No. 6 in the amount of \$109,071.16**

**MR. GURRERI MOVED TO APPROVE KINSLEY CONSTRUCTION, EDEN ROAD RELOCATION PROJECT, APPLICATION FOR PAYMENT NO. 6 IN THE AMOUNT OF \$109,071.16. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Kinsley Construction, Inc. – Eden Road Relocation Project – Application for Payment No. 7 in the amount of \$29,651.50**

**MR. GURRERI MOVED TO APPROVE KINSLEY CONSTRUCTION, EDEN ROAD RELOCATION PROJECT, APPLICATION FOR PAYMENT NO. 7 IN THE AMOUNT OF \$29,651.50. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Kinsley Construction, Inc. – Springettsbury Township Park Phase II – Application for Payment No. 1 in the amount of \$81,865.17**

**D. Robert P. Lepley Electrical Contractor – Springettsbury Township Park Phase II – Application for Payment No. 1 in the amount of \$14,488.74**

**MR. BISHOP MOVED TO APPROVE ITEMS 5 C AND D ITEMS RELATED TO THE SPRINGETTSBURY TOWNSHIP PARK PHASE II. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Regular Payables as Detailed in the Payable Listing of May 26, 2005**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MAY 26, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Bids – Road Improvements to Haines Road between Market Street and Eastern Boulevard.**

**MR. GURRERI MOVED TO AUTHORIZE FOR BIDS FOR ROAD IMPROVEMENTS TO HAINES ROAD BETWEEN MARKET STREET AND EASTERN BOULEVARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. 2005 Material and Resurfacing Project**

**HOLMAN** Mr. Holman presented a memorandum concerning the 2005 Material and Resurfacing Projects provided by Mr. Lauer. There was a notification issued with regard to award of contracts for the Road Improvement Program contingent upon final review of the bids received by the Solicitor. Mr. Lauer is comfortable that the bids received are within the budgetary guidelines.

**MR. BISHOP MOVED TO AWARD 2005 MATERIAL AND RESURFACING PROJECT BIDS AS DETAILED IN MR. LAUER'S MAY 23, 2005 MEMORANDUM CONTINGENT UPON REVIEW OF BIDS BY THE SOLICITOR. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-02-02 – Associated Wholesale Time Extension to 12/31/05**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FROM AWI LAND DEVELOPMENT 02-02 TO DECEMBER 31, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck questioned the delays from the original February, 2002 date.

**HOLMAN** Mr. Holman confirmed that he had Solicitor Rausch review the matter and that there were conditions relating to legal matters which allowed this item to continue.

**B. LD-05-04 – Meadowlands Lot 3A Land Development Time Extension to 8/31/05**

**MR. BOWMAN MOVED TO ACCEPT THE GRANT OF TIME EXTENSION TO LAND DEVELOPMENT 05-04, MEADOWLANDS LOT 3A TO 8/31/05. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. SD-04-23 – Corflex – Action**

**BAUGH** Mr. Baugh provided background information as detailed in a memorandum dated May 19, 2005. The purpose of the plan is to subdivide a small area of the land surrounding an existing water tank from the property located at 100 Boxwood Lane and attach it to the lands located at 200 Boxwood Lane. The applicant had requested modifications and waivers, and the Planning Commission recommended approval of the

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

plan. Most of the conditions had been satisfied, and Staff recommended approval of the plan with several waivers. Mr. Baugh provided several overhead photographs of the site.

**SCHENCK** Chairman Schenck questioned the basis for the subdivision surrounding the water tank.

**BAUGH** Mr. Baugh responded that it related to the insurance.

**SCHENCK** Chairman Schenck asked whether the Board had any further questions. Hearing none he asked whether the developer had any comment.

**KATHERMAN** Robert Katherman, Esq., represented the applicant. He asked representatives of the plan to identify themselves. Jan Winter, Plant Manager of Corflex, and Gene Stum, Engineer who drew the plans were present. Attorney Katherman requested two other waivers in addition, that relating to buffering and street lights. Attorney Katherman commented on the plans. He noted that a water tank sits on the site, which had been built 40 years ago for fire protection purposes. Corflex had used this due to insufficient water pressure, and the water tank provided protection for the property. During an insurance audit, it was noted that the water tank does not sit on Corflex property. This posed a problem to both property owners: (1) to Corflex because their insurance company will cancel and they will have to install an equivalent system at an estimated \$60,000 and (2) a maintenance liability problem for the other property owner who has no need to keep it. They proposed to subdivide the property to include the water tank on the Corflex property, which will bring that up to code and provide the property with proper water availability. Attorney Katherman indicated that nothing new would be constructed on the property. However, he proposed planting ten, five-foot white pine trees for screening for the older section. He asked whether the Board would be willing to go one additional step in light of the unusual circumstances to grant a waiver on the street lights and grant a waiver on the berming duty imposed on Corflex to put the white pines in for screening. The buildings already have lights on them. He asked Jan Winters to confirm whether he had correctly represented the information to the Board.

**WINTERS** Mr. Winters responded that he had done so.

**KATHERMAN** Attorney Katherman confirmed that Mr. Irv Naylor formerly had owned the entire property and sold the property in question in 1999. The water tower had never been an issue. He asked the Board to agree to the one additional waiver on the street lighting and the modification on the berming under the circumstances.

**BAUGH** Mr. Baugh asked how many trees would be involved.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

- KATHERMAN** Attorney Katherman responded that eight white pines would be planted in an area where no buffering had been for the last 40 years.
- SCHENCK** Chairman Schenck asked about any other considerations. He noted that Attorney Katherman mentioned there would be no pedestrians or traffic in the area.
- KATHERMAN** Attorney Katherman responded that he did not believe the lighting or the berming would be any benefit to the public. The sole intent and purpose of the subdivision is to provide the water tower to the Corflex property. It does not impair or put at risk the interest of the public.
- BAUGH** Mr. Baugh asked how many feet apart the trees would be.
- KATHERMAN** Attorney Katherman responded that they could be placed in equal distance apart.
- BAUGH** Mr. Baugh asked whether 10 trees would be planted.
- KATHERMAN** Attorney Katherman had been advised to place 10 white pines to solve the problem.
- BAUGH** Mr. Baugh noted that buffer yard 5 does not require berming, and only 12 trees are required, so the argument is only about two trees and some bushes. Mr. Baugh noted that there are no street lights on Stonewood at this time. Having lights would be of great benefit especially for the safety of those individuals who must get into that area. Mr. Lauer of Public Works will need to plow those areas. While there are some lights on the building, the Township has no control whether they remain or not. He requested to have lights every 200 feet at intersections, turns and corners.
- KATHERMAN** Attorney Katherman asked whether that would equate to four lights, and if so, that would be agreeable.
- LUCIANI** Mr. Luciani noted that they are Township streets.
- SCHENCK** Chairman Schenck stated that Mr. Gurreri had to leave the meeting due to an emergency (8 p.m.).
- SCHENCK** Chairman Schenck commented that it sounded like there was some confusion over the buffering, some required berming and perhaps that would not be necessary.
- KATHERMAN** Attorney Katherman indicated that originally there had been a berming requirement.

**BAUGH** Mr. Baugh stated that in buffer yard 5 one of the options is to just plant a 10-foot wide strip. No berm is required with that.

**SCHENCK** Chairman Schenck asked whether the staff knew the request was coming and also whether the sidewalk note appeared on the plan.

**BAUGH** Mr. Baugh responded that the same argument came up at Planning Commission, and yes, the sidewalk note appeared on the plan.

**SCHENCK** Chairman Schenck concluded that the developer's original recommendation was to put in a buffer yard and four street lights.

**BISHOP** Mr. Bishop noted that there is a unique benefit.

**SCHENCK** Chairman Schenck indicated that a Quorum was present to vote on the plan.

**MR. BISHOP MOVED TO APPROVE SD-04-23, IRVIN S. NAYLOR (CORFLEX DISPLAY AND PACKAGING), TO:**

- **GRANT A WAIVER OF SALDO §305.1 PRELIMINARY PLAN,**
  - **GRANT A WAIVER OF SALDO §305.2 N. EXISTING TOPOGRAPHY,**
  - **GRANT A MODIFICATION OF SALDO §305.3 F BUFFER YARD TO ALLOW USE OF BUFFER YARD 5 ALONG MIMOSA COURT,**
  - **GRANT A MODIFICATION OF SALDO §408.1 SIDEWALKS IN THE FORM OF A NOTE ON THE PLAN THAT THE REQUIRED SIDEWALK WILL BE PROVIDED WITHIN SIX MONTH'S WRITTEN NOTICE FROM THE TOWNSHIP,**
  - **GRANT A MODIFICATION OF SALDO §412 STREET LIGHTING TO ALLOW THE INSTALLATION OF 4 LIGHTS, LOCATING THEM AT INTERSECTIONS, TURNS AND THE CUL-DE-SAC,**
- APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**
- **RECEIVING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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

**D. SD-05-02 – MOTTER RESIDENTIAL – ACTION**

**BAUGH** Mr. Baugh presented background information as documented in a May 19, 2005 memorandum. He stated that the property is currently used for agriculture, 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 consisting of 85 residential lots. Eastern Boulevard is proposed to be extended through the site from Locust Grove Road to Stonewood Road. The Preliminary Plan and modifications were approved in September, 2004. The plan currently under review is the Final Plan. Planning Commission and staff recommended approval of the plan with

several conditions as documented. He provided plans on the overhead screen, which the Board had previously reviewed.

**SCHENCK** Chairman Schenck asked whether the Homeowner's Agreement would include the storm water basin.

**MACNEAL** Acting Solicitor MacNeal responded that the storm water basin will be included.

**SCHENCK** Chairman Schenck stated that the Township was very appreciative of the extra effort expended by the developer in working with the Township regarding Eastern Boulevard.

**MR. BISHOP MOVED TO APPROVE SD-05-02 – MOTTER RESIDENTIAL FINAL PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER AND A 10 PERCENT OF THE FINANCIAL SECURITY FOR INSPECTION ESCROW,**
- **PAYING A RECREATION FEE IN LIEU OF DEDICATION OF LAND PRIOR TO PLAN RECORDING,**
- **PROVIDING NAME, SEAL, AND SIGNATURE OF REGISTERED PROFESSIONAL ENGINEER ON LAND DEVELOPMENT PLAN SET AND SIGNATURES OF THE OWNERS,**
- **PROVIDING A NOTE ON THE PLAN CERTIFYING THAT THE LENGTH OF STREETS CONFORMS TO THE REQUIREMENTS OF THE ACT 655 LIQUID FUELS TAX,**
- **TOWNSHIP SOLICITOR'S APPROVAL OF THE HOMEOWNER'S AGREEMENT AND MAINTENANCE PROGRAMS FOR THE DEVELOPMENT.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**Springettsbury Park – Master Plan Review**

**BISHOP** Mr. Bishop commented on the development of Springettsbury Park. At one time a Master Plan was developed, which the Board proceeded to execute. Following that action an additional property was acquired and now another property is being acquired. He suggested that the Master Plan does not address the current situation and pending completion of Phase II, it may be a reasonable time to review the Master Plan and make some minor revisions.

**SCHENCK** Chairman Schenck responded that the Parks and Rec Department has some ideas. He asked Mr. Bishop how he would suggest such a review.

**BISHOP** Mr. Bishop thought that Mr. Holman might have some ideas.

**HOLMAN** Mr. Holman stated that a grant application had been submitted to do a full Master Plan revision for all the parks as well as a schedule. He expected to receive word on the grant within the next few weeks. In addition, an overall study of the dog park is in process. He will get recommendations from the Parks and Recreation Board and review the park based on the property currently owned. An update is available on Phase II, but that update does not include ownership of the other properties. He indicated that Mr. Lauer is working on a plan to continue sidewalk in order to tie it into Williams Road without disturbing any trees.

**SCHENCK** Chairman Schenck supported of Mr. Bishop's suggestion.

**BISHOP** Mr. Bishop added that it might be wise to consider involving YSM as well.

**SCHENCK** **Tractor-Trailer Parking Issue**  
Chairman Schenck stated that Mr. Baugh had provided action concerning the tractor-trailer parking issue on a residential street.

**BAUGH** Mr. Baugh responded that owner had not responded to the second fine issued in the civil complaint to date. He thought the owner might be out of town.

**BISHOP** **Jim Deitch**  
Mr. Bishop noted that he had known Jim Deitch very well. He was instrumental in making Mr. Bishop aware of Springettsbury Township through his involvement in the Rec Board and subsequently the Board of Supervisors and was a very interesting person. Mr. Bishop thanked Betty Speicher for taking care of sending flowers to the memorial service. Mr. Bishop knew that the family was very appreciative of the recognition of their father and thanked the Township.

**9. SOLICITOR'S REPORT:**

**MACNEAL** Acting Solicitor Stacy MacNeal stated that there were no updates to Solicitor Rausch's report.

**10. MANAGER'S REPORT:**

**HOLMAN** **Eden Road Project**  
Mr. Holman reported that the Eden Road project will be closed out at the end of June. There will be one additional Change Order to cover some minor adjustments made to the sewer, items which had been held waiting for DEP approval. Those improvements should be no more than \$18,000 to \$20,000 which will be well within the grant parameters.

**Springettsbury Park – Phase II**

Mr. Holman reported there are a few minor changes with regard to Phase II of the park as recommended by Mr. Lauer. One is to put two larger gates on the tennis courts, which will help to save in long-term maintenance costs. The concrete will be upgraded to six-inch concrete. He added that Mr. Lauer was doing an excellent job in overseeing the property.

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

**A. Ordinance No. 05-05 – Amending Section 22-510 of the Subdivision and Land Development Ordinance Relating to Recreation Dedication**

**MR. BISHOP MOVED TO ADOPT ORDINANCE 05-05 AMENDING SECTION 22-510 OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE RELATING TO RECREATION DEDICATION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 05-06 – Amending Chapter 16, Part 2, of the Code of Ordinances, Use and Allocation of Fees Paid in Lieu of Dedication of Land for Recreation Purposes**

**SCHENCK** Chairman Schenck noted that in the first section, the document discusses the community parks. In addition, it indicates that North Hills Park “should be developed.”

**HOLMAN** Mr. Holman commented that if North Hills Park were to be developed it would be a community park because of its size.

**SCHENCK** Chairman Schenck suggested that the wording should be changed to “may be developed.” He did not want to send the message that the park is being developed unless there is a good legal reason to do so.

**HOLMAN** Mr. Holman stated that the change would be a minor one.

**MACNEAL** Acting Solicitor MacNeal confirmed that it would be a minor change.

**HOLMAN** Mr. Holman indicated that it would be no problem to change the wording.

**MR. BOWMAN MOVED TO ADOPT ORDINANCE NO. 05-06 – AMENDING CHAPTER 16, PART 2 OF THE CODE OF ORDINANCES, USE AND ALLOCATION OF FEES PAID IN LIEU OF DEDICATION OF LAND FOR RECREATION PURPOSES AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-45 – Separate Escrow Account for Professional Fees Pursuant to the MPC.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

**HOLMAN** Mr. Holman indicated that the Authority had been set up to charge the escrow. This sets up the account to process the funds separate from the general fund in order to conform with the rules and guidelines with regard to escrows.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-45. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-46 – Additional Street Lights – Intersection of Pleasant Valley and Williams Road**

**HOLMAN** Mr. Holman stated that the Resolution is the result of a request for lighting at the corner of Pleasant Valley and Williams Road. Mr. Lauer had reviewed that and a light would be relatively simple to place. It is recommended that the light be placed there.

**BISHOP** Mr. Bishop asked what is meant by the notation, “company owned” light.

**LAUER** Mr. Lauer responded that Met Ed will own it, and the Township will pay a monthly fee for it.

**MR. BOWMAN MOVED FOR ADOPTION OF RESOLUTION 05-46, ADDITIONAL STREET LIGHTS AT THE INTERSECTION OF PLEASANT VALLEY AND WILLIAMS ROAD. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 05-47 – Extension of Refuse Contract for the Period January 1, 2006 through December 31, 2006.**

**SCHENCK** Chairman Schenck noted that the Resolution provides the Township with the ability to extend the garbage and refuse contract through 2006. The original contract allowed one year extensions provided there were no cost increases to the Township. The contractor had solicited the Township to extend for one year at the current rates.

**HOLMAN** Mr. Holman stated that he had negotiation sessions with the contractor. He added that in the Comprehensive Plan survey there was a satisfaction survey of the trash and recycling contract. The contractor had received an 84% excellent rating with 250 responses. There were negative responses, which represented 4 to 5% where improvement could be made.

**SCHENCK** Chairman Schenck asked for comments from the Board concerning moving ahead with an extension. He asked whether this would be the last extension.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

**HOLMAN** Mr. Holman responded that there could be one more extension in the following year. There were three options to renew the contract; this is the second in three. There can be only one renewal at a time.

**BISHOP** Mr. Bishop responded that, given there had been significant changes this year in the big picture, he considered it a benefit to not changing the contract.

**HOLMAN** Mr. Holman added that there had been more management including a monthly meeting with the contractor and more in-depth review of reports. The brush collections so far had taken 24 tons out of the trash going to the incinerator now going to recycling. This will move the Township up from 17<sup>th</sup> to 16<sup>th</sup> in the state, which will make the Recycling Committee very happy. He added that the Recycling Committee had provided an approval recommendation concerning the contract provided it could be done at the current price. Mr. Holman thanked Mr. Greenewalt, who had been a great help on that committee.

**GREENEWALT** Mr. Greenewalt noted that if the contract were to be bid, there would be a chance of possible higher costs.

**MR. BOWMAN MOVED TO ADOPT RESOLUTION 05-47 EXTENSION OF REFUSE CONTRACT FOR THE PERIOD JANUARY 1, 2006 THROUGH DECEMBER 31, 2006. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Municipal Emergency Operations Plan**

**MR. BISHOP MOVED TO INCLUDE THE MUNICIPAL EMERGENCY OPERATIONS PLAN AND AUTHORIZE THE CHAIRMAN TO SIGN IT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Ambulance Agreement with Yoe Ambulance**

**MR. BOWMAN MOVED TO APPROVE AMBULANCE AGREEMENT WITH YOE AMBULANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing and Regular Meeting – April 28, 2005**

**SCHENCK** Chairman Schenck asked whether there had been any revision to the previous draft based on the requested changes.

**ABREGHT** Ms. Abreght responded that no changes had been made to the April 28, 2005 Minutes based on a communication with the Township requesting direction.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

**SCHENCK** Chairman Schenck noted that the Board had been provided with the detail of the discussion with the Sewage Enforcement Officer.

**ABREGHT** Ms. Abreght noted that 21 pages of verbatim notes were provided.

**HOLMAN** Mr. Holman stated that those verbatim notes could be incorporated into the minutes if the Board directed, although it would be unusual.

**MACNEAL** Ms. MacNeal stated that it could be considered a separate hearing with separate stenographic transcript of the hearing in the case of an appeal in addition to the Minutes so that an adequate record would be provided. It would be an option.

**BISHOP** Mr. Bishop responded that she made an excellent point but it was not the case in this situation as it was not a hearing. It was coincidental that they selected this particular time for an opinion that happened to be while the Board was in session.

**HOLMAN** Mr. Holman stated that he would place a copy of the verbatim notes with his report.

**MR. BISHOP MOVED TO APPROVE THE MINUTES AS PREVIOUSLY PRESENTED FOR THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 28, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Work Session – Trash Contract – March 16, 2005**

These minutes were held for action due to Mr. Gurreri's absence.

**C. Board of Supervisors Work Session – ZHB Interviews – May 12, 2005**

**MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE WORK SESSION, ZONING HEARING BOARD INTERVIEWS ON MAY 12, 2005 AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Board of Supervisors Work Session – Sign Ordinance – May 12, 2005**

**MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE MAY 12, 2005 SIGN ORDINANCE WORK SESSION AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Board of Supervisors Regular Meeting – May 12, 2005**

**MR. BOWMAN MOVED TO APPROVE THE BOARD OF SUPERVISORS MINUTES OF THE REGULAR MEETING MAY 12, 2005 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Form of Minutes**

**ABREGHT** Ms. Abreght quoted from Roberts Rules of Order, “.....there is no object in reporting the debates; the duty of the secretary in such cases is mainly to record what is “done” by the assembly, and not what is said by the members.”

**BISHOP** Mr. Bishop suggested to combine the concept of summary minutes with the concept that had been read from Roberts Rules to include important details leading to action and decrease the amount of discussion to a minimal summary.

**SCHENCK** Chairman Schenck agreed but stated there also was a need to qualify the statement. He noted that during this meeting a developer had requested waivers. It was important to recognize the request and the discussion surrounding the request followed by action on the request.

**ABREGHT** Ms. Abreght agreed to provide less of the verbatim notes and more summarized statements.

**BISHOP** Mr. Bishop suggested to provide a period of time for the process to work itself through and review again in several months.

**14. NEW BUSINESS:**

**A. Planning Commission Recommendations on Sign Ordinance Amendments**

**HOLMAN** Mr. Holman indicated that, due to the fact that only three Board members remained, perhaps the Board would want to hold the item for further review in a Work Session.

**Consensus was to schedule an additional Work Session regarding the Sign Ordinance.**

**HOLMAN** Mr. Holman stated he did not think the Planning Commission was looking for an immediate response.

**BAUGH** Mr. Baugh added that there was no time limit. He stated he could meet with the Board members two at a time and provide a summary.

**B. Acknowledge Receipt of April 30, 2005 Treasurer’s Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE APRIL 30, 2005 TREASURER’S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 26, 2005  
APPROVED**

**SCHENCK** Chairman Schenck brought forward a discussion of the location of the July meeting in Springettsbury Park in the pavilion.

**Consensus was to meet in the pavilion in Springettsbury Park for the July meeting.**

**HOLMAN** Mr. Holman stated the meeting would be properly advertised and signage will be placed on the website and on the building.

**SCHENCK** **Springettsbury Township Volunteer Fire Company**  
Chairman Schenck reported that the Springettsbury Township Volunteer Fire Company had not met with the Township. He asked whether any reimbursements had been requested.

**HOLMAN** Mr. Holman responded that they had not requested reimbursement but had requested insurance.

**SCHENCK** Chairman Schenck stated that they are running out of cash. He had received a year-end Treasurer's Report but he was not sure whether that would provide the necessary information.

**HOLMAN** Mr. Holman indicated he had some other items to include.

**SCHENCK** Chairman Schenck noted that the Board needed to authorize a reimbursement and it would take several weeks to issue a check. However, it was never solidified how they wanted to be reimbursed. He asked Mr. Holman to put a rush on the matter.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck reminded the Board of the Executive Session immediately following adjournment. He adjourned the meeting at 8:55 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**MAY 26, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, May 26, 2005 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  
Nick Gurreri  
Mike Bowman

**MEMBERS NOT IN ATTENDANCE:** George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
James Baugh, Director of Community Development  
Stacey MacNeal, Acting Solicitor  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:45 p.m. He stated that the advertised Public Hearing of the Springettsbury Township Board of Supervisors was required by the Pennsylvania Municipalities Planning Code related to an ordinance attached to the Subdivision and Land Development Ordinance.

**A. Ordinance No. 05-05 – Amending Section 22-510 of the Subdivision and Land Development Ordinance Relating to Recreation Dedication.**

**SCHENCK** Chairman Schenck stated that Ordinance 05-05 outlined the recreation districts used to pull money from developments and also recognizing the ability to transfer money from one district to another if it is in the best interest of the community.

**HOLMAN** Mr. Holman added that it would become part of the budgetary process for a resolution to amend the budget. There would be no change in districts or percentages reserved. The only real change is to allow the Township to transfer among the districts through a budgetary process.

**SCHENCK** Chairman Schenck asked for public comment. However, there was no public comment.

**HOLMAN** Mr. Holman added that it had been necessary to review the SALDO ordinances and the MPC as the ordinances had slight

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**MAY 26, 2005  
APPROVED**

conflicts. By acting upon Ordinance 05-05 they will be in conformance.

**MACNEAL** Acting Solicitor MacNeal asked whether comments had been received from York County Planning.

**BAUGH** Mr. Baugh responded that no comments had been received from County Planning. However, the required 30 days had been allotted.

**SCHENCK** Chairman Schenck asked for further comments from Board members. There were no comments from Board members.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 12, 2005 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  
George Dvoryak

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

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:00p.m. He stated that a Work Session had been held to explain some proposed changes to the Sign Ordinance.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck asked Mr. Gurreri to lead the Opening Ceremony.

**GURRERI** Mr. Gurreri stated he attended the York County Four Chaplains Prayer Breakfast on May 11, 2005. He presented the story of the Four Chaplains on the Dorchester Troop Ship, which was torpedoed by a German submarine February 3, 1043 over 60 years ago. The Four Chaplains had given up their life jackets to someone else, locked arms and went down with the ship. Mr. Gurreri stated that freedom is not free, and many have given their lives for our freedom. He expressed appreciation to any men and women present for their service to the USA. He read a prayer from the breakfast program.

**B. Pledge of Allegiance:**

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that no Executive Sessions had been held since the last Board meeting.

**3. COMMUNICATIONS FROM CITIZENS:**

There were no citizen comments.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported that the Eden Road Interceptor project will be on the Agenda under awards. He indicated that a meeting had been held with DEP and Harley-Davidson representatives on the coordination of the permitting issue. There is a requirement to submit a joint permit solely for the purpose of a seven square foot disturbance within the wetland, which involves a manhole. The potential problem is that DEP indicated it could take 130 days to review. In addition, there are other concerns with the grants received to pave Eden Road, and it is important to get that portion of the work done, which is away from the wetlands. Some re-scheduling can be done with the contractor to accomplish that. If the award is approved, the contractor is not in any hurry to get started. Following approval of the award, the contractor must provide his bids and insurances, and the Township could then issue a Notice to Proceed.

**SCHENCK** Chairman Schenck asked what the worst case scenario would be if DEP took the 120 days and the contractor had to wait.

**SCHOBBER** Mr. Schober responded that the contractor will begin on the Eden Road portion of the project and wait to do the wetlands portion. There is a certain amount of pipe underneath Eden Road that needs to be installed, and then the Township can pave it.

**HOLMAN** Mr. Holman added that it is important to complete the Eden Road portion and repave the road in a timely way in order not to lose the grant money. He stated that an additional issue is to clear the four storm water drainage pipes that go under Sandbank Road in order to tie all this in together as a maintenance item.

**SCHENCK** Chairman Schenck expressed concern, if the project was held up, would there be any problem in demolition of the pump station.

- SCHOBER** Mr. Schober responded that there would be no cut off. The same contractor is responsible for the demolition of the pump station. The only potential problem would be if a maintenance problem developed at the pump station.
- SCHOBER** Mr. Schober stated that the BNR Study final report is being compiled. The final work is completed on the tapping fees. It will be on the June Agenda.
- SCHOBER** Mr. Schober reported that the final surveying work was done on the Barwood Road Sewer project. Alternatives are being evaluated to running a parallel line behind the southern properties versus staying just in Barwood where the sewer would be almost 20 feet deep. Using the alternative approach it might only be four feet deep but twice as long. Cost evaluations will be reviewed, a decision made, and proceed with final design.
- GURRERI** Mr. Gurreri remarked that it would be difficult to break through rock with a 20 foot deep sewer line.
- SCHOBER** Mr. Schober added it would be very expensive and would tear up the road. Acquisition of rights of way will be required with doubling the lines. The residents will favor that alternative because it will be less expensive.
- SCHOBER** Mr. Schober reported that a complete set of maps based on the County map were sent to the Township regarding Long-Range Sewer Planning in order to update the mapping.
- DVORYAK** Mr. Dvoryak questioned whether there would be Change Orders on the Eden Road project due to the way that contract is structured.
- SCHOBER** Mr. Schober responded that the contract was structured as a unit price contract. If the contractor puts in four feet of pipe he gets paid for four feet; if he puts in five feet he gets paid for five and there may be changes as the exact footage will be a little bit different.
- HOLMAN** Mr. Holman responded that included will be engineering and permitting fees and other items, as well as the site management.
- SCHOBER** Mr. Schober added that there will be inspection fees and so forth. He thought having an instructor out there for this contractor would be a good idea.

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

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

**LUCIANI** Mr. Luciani provided three updates to his written report. He reported that he, Mr. Holman and Mr. Baugh met with the Rutter's representatives to discuss their proposed convenience store at the intersection of Industrial Highway and North Hills Road. Included in that meeting were Spring Garden Township officials along with York County Planning representatives. Discussion was held surrounding the integration with the 83 plan. PennDot is planning to expand ramps and the Township wanted to make sure that the Rutter's plan didn't not significantly impact the 83 plan. The next step is to meet at PennDot. A line of communication was opened so that whatever occurs there won't be detrimental to the York County area and at the same time it may provide an additional corridor for traffic to go from Spring Garden Township to York. Meeting minutes will be written and the Board will be advised when the next PennDot meeting is scheduled.

**SCHENCK** Chairman Schenck asked whether the developer had filed a plan.

**LUCIANI** Mr. Luciani responded that they had not. They provided a sketch which had proceeded through some zoning issues which had been resolved.

**LUCIANI** Mr. Luciani reported that he will provide budget numbers for the Board on the MS4 project. The MS4 areas had been submitted to DEP last year. They are looking for elicit discharges. The next phase is to do some testing in the Township's lab. The Township was broken into four regions. Harley-Davidson industrial region will be the first segment to be tested, and the information will be provided to the Board. This will enable the Township to stay in compliance with the MS4 permits.

**LUCIANI** Mr. Luciani reported that he, Mr. Gurreri and Mr. Holman attended the PSATS conference. Springettsbury received an award for Second Runner Up throughout the entire state for the Road and Bridge Safety Award. The award was for improvements in Old East York. Mr. Luciani was particularly proud of the fact that the Township got the award because it was unique. The residents had some concerns about speeding and major cut through traffic, and the Board listened and made improvements to control the speed. There was significant reduction in traffic through there with the wide throat at Eastern Boulevard. The physical improvements were a big enhancement to the neighborhood because those people have significant investment in their homes. The Board took initiative to spend money on physical improvements and engineering studies. That did not include the drainage work that Mr. Lauer did to significantly improve the quality for those residents. The state had not given out any paper copies of the award, but he felt that it was worth having the award made into something a little more permanent. He presented a plaque to the Board for display.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

**SCHENCK** Chairman Schenck suggested that the item be placed in the next newsletter. He asked when the work at Deininger was scheduled to start.

**LUCIANI** Mr. Luciani responded that the target date is 2007.

**GURRERI** Mr. Gurreri noted that according to the drawings they will take the bank off that house almost to the top of the hill.

**LUCIANI** Mr. Luciani responded that some of the right of way would be taken. He was not sure if those were the final drawings.

**HOLMAN** Mr. Holman stated that construction will start in 2006. The drawings are draft drawings from the engineer who worked with Mr. Luciani and Mr. Baugh. Mr. Holman asked for review and comments from the Board to forward to the developing engineer through Will Clark of the MPO. The item will be placed under New Business in the next meeting.

**LUCIANI** Mr. Luciani provided an explanation of the proposed work. He discussed the stone walls on the west side at the top where a number of accidents had occurred. He cited the tight radius which needed to change, some poles to move.

**SCHENCK** Chairman Schenck noted that the drawing indicated a potential right turn lane.

**LUCIANI** Mr. Luciani stated that he was correct, as an increase in the pavement for a short, right turn lane. He stated that, in removing the big hump for the right turn lane, it will help to eliminate some of the sight distance problems. Rights of way will need to be purchased.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of May 12, 2005**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MAY 12, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Award Contract to DOLI Construction Corp. for the Eden Road Interceptor and Tulip Tree Lane Sewer Rehabilitation Projects in the amount of \$580,333.**

**HOLMAN** Mr. Holman recommended to not make it contingent upon the DEP permit authorization, as that would not allow the Township to do the work in

Eden Road that needs to be done, but that it is made dependent upon the budget appropriation. The adoption of a Resolution appeared later in the Agenda.

**MR. BOWMAN MOVED TO AUTHORIZE INTENT TO AWARD CONTRACT TO DOLI CONSTRUCTION CORPORATION FOR THE EDEN ROAD INTERCEPTOR AND TULIP TREE LANE SEWER REHABILITATION PROJECTS IN THE AMOUNT OF \$580,333. PRICE INCLUDES ALTERNATE 2 CONTINGENT ON THE BUDGET APPROPRIATION. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Purchase 2006 International Tandem-Axle Chassis utilizing PACC Contract through Five Star International in the amount of \$84,897.**

**SCHENCK** Chairman Schenck indicated that the item covered a request to purchase a new dump truck for the Waste Water facility. The amount had been budgeted and documentation had been provided by Mr. Hodgkinson explaining why it is slightly over budget at \$110,000 versus \$105,000 based primarily on steel pricing and a new surcharge on diesel engines to meet EPA requirements. This is a cooperative purchasing contract.

**BOWMAN** Mr. Bowman commented that this is called an over-the-road truck, which is used to help in the fields. He asked whether the 475 horsepower engine could be considered overkill. He asked about the gpw as he thought it seemed like a fairly big motor for its intended use.

**HODKINSON** Mr. Hodgkinson responded that he did not think so and explained that they go over some fairly steep terrains.

**MR. GURRERI MOVED TO AUTHORIZE THE PURCHASE OF A 2006 INTERNATIONAL TANDEM AXLE CHASSIS UTILIZING PACC CONTRACT THROUGH FIVE STAR INTERNATIONAL IN THE AMOUNT OF \$84,897. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Purchase Thiele Dump Body Utilizing PACC Contract through IM Supplies in the amount of \$25,858.**

**MR. DVORYAK MOVED TO GRANT AUTHORIZATION TO PURCHASE A THIELE DUMP BODY UTILIZING PACC CONTRACT THROUGH IM SUPPLIES IN THE AMOUNT OF \$25,858. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Enter into Professional Services Agreement with NuTec for Major Construction Plan Reviews.**

**DVORYAK** Mr. Dvoryak asked who currently does this for us.

- BAUGH** Mr. Baugh responded that it is done in-house.
- HOLMAN** Mr. Holman stated that for the school project it had been done by Aero.
- BAUGH** Mr. Baugh stated that Aero did the inspections and Central York was actually sent to ICC, the International Code Council, which publishes all of the ICC Codes.
- DVORYAK** Mr. Dvoryak questioned whether the outsourcing of this was an expertise issue.
- HOLMAN** Mr. Holman provided an explanation. He indicated that large facilities, such as the prison, are not something that the Township deals with every day. If the Township had a contract with NuTec they would sign off with their engineering seal following the Building Code review. There are several large projects coming up, as well as the issue of green building design that need to be reviewed. The cost of any contract will be covered under the permitting cost.
- SCHENCK** Chairman Schenck asked whether they would be looking just at construction code issues or the ordinances as well.
- BAUGH** Mr. Baugh stated that as far as the zoning and Subdivision and Land Development, the Township will deal with that. The Subdivision and Land Development Plan has been approved. Everything, including Township ordinances, is based on the state-wide UCC, and the UCC uses the IBC 2000. They will review them in accordance with that, which includes the ordinances.
- SCHENCK** Chairman Schenck asked whether the drawings would have been certified.
- BAUGH** Mr. Baugh responded that certain drawings do need to be certified. For example, on structural, the Township requires that those drawings are sealed by the applicant's engineer. The Township reviews a lot of the drawings even if they are sealed. It's mainly where the structural seal is accepted because it's verifying that the calculations are correct.
- BOWMAN** Mr. Bowman asked how the Township handled the Harley-Davidson project.
- SCHENCK** Chairman Schenck responded that NuTec did the work for Harley.
- BISHOP** Mr. Bishop indicated that Mr. Stern had done some as well.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

- SCHENCK** Chairman Schenck stated that he asked the question about the Township ordinances because NuTec had questioned some Township requirements. He wondered if there would be a professional way of separating their opinions from the work they're going to do for the Township. Items that may not have wanted to do in their own buildings, now they're going to be requiring clients to do on the Township's behalf.
- BAUGH** Mr. Baugh responded that he thought they could separate that on a professional basis.
- SCHENCK** Chairman Schenck stated that they would not be reviewing a plan that they did.
- HOLMAN** Mr. Holman confirmed that would not be the case.
- SCHENCK** Chairman Schenck indicated that in other professions that was part of the requirement. If someone wanted to work for the Township, they would not work for other clients in the Township.
- BISHOP** Mr. Bishop indicated that he was correct. It was one of the issues with Aero. One of the reasons that Aero was picked was because Aero specifically does municipal work only and does not do private work.
- HOLMAN** Mr. Holman indicated that he could not say that NuTec would not present a plan for a private developer within the Township.
- BISHOP** Mr. Bishop noted that there had been situations where professionals get into the position where they're perceived in the community to be the Springettsbury experts because they work with the Township and they are able to bank on that in the business community, which is a concern in this case. He added that it might not even be in NuTec's best interest in this situation, and certainly may not be in the Township's.
- HOLMAN** Mr. Holman asked whether the Board would want him to address the questions with NuTec.
- BISHOP** Mr. Bishop asked how NuTec had been chosen.
- HOLMAN** Mr. Holman responded that they had been working with NuTec on some architectural work and he and Mr. Baugh were discussing the requirements for green building design of large projects. NuTec is a local corporation that had Building Code Officials, so they could do this review and to a great degree they had done some architectural work for the Township in the past. Mr. Holman and Mr. Baugh had reviewed NuTec's cost for the review of the prison which was reasonable at approximately \$5200. In addition, they are local and easy to contact.

- BISHOP** Mr. Bishop asked to what the rates were being compared.
- HOLMAN** Mr. Holman responded that it was compared with the Township's cost in doing the work, as well as the delays in the current workload.
- BISHOP** Mr. Bishop stated that the rates were not being compared to what might be available in the open market.
- BAUGH** Mr. Baugh stated that 25 cents per square foot was common among third party inspectors. He thought the state charged 20 cents per square foot.
- GURRERI** Mr. Gurreri questioned whether it would be fair to ask NuTec not to do business in Springettsbury Township if they are working with this Board, especially if they're only getting two projects, maybe three projects or maybe no projects a year.
- BISHOP** Mr. Bishop indicated he did not think that NuTec would agree to that, but he thought there might be other companies that would agree.
- HOLMAN** Mr. Holman added that they would have to locate someone doing very little or no business in Springettsbury Township or potentially York County. It might be possible to find someone who would be remote or a firm that does nothing except municipal work.
- BISHOP** Mr. Bishop asked whether this contract would require any on-site work.
- BAUGH** Mr. Baugh responded that if they were used for inspections it would not be necessary. It would be just plan review only.
- GURRERI** Mr. Gurreri noted that Mr. Holman seemed comfortable with NuTec, as well as the staff.
- HOLMAN** Mr. Holman stated that he was comfortable with NuTec that they would do a professional job, and they would not do anything that would cause a conflict of interest.
- BISHOP** Mr. Bishop stated that he was absolutely comfortable with that also. However, he stated that there is a case to be made that it's a bad idea.
- HOLMAN** Mr. Holman indicated that the contract would only be good for one year and will be reviewed each year.
- GURRERI** Mr. Gurreri commented that there had been good discussion, and he did not have a problem either with or without them.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

**SCHENCK** Chairman Schenck stated for the record that he was not concerned about a conflict of interest; however he was concerned about an appearance of some other level of access. He stated that he was frustrated with the work when it was their own job.

**GURRERI** Mr. Gurreri asked whether he meant the sidewalks.

**SCHENCK** Chairman stated that he meant sidewalks and elevators. However, the Board is being advised that they would not be looking at that; strictly at the UCC, at the code, making sure that these buildings meet the code.

**BAUGH** Mr. Baugh noted that under the new UCC, elevators are being evaluated by the state only and only the state could waive it.

**HOLMAN** Mr. Holman stated that the state would evaluate handicap accessible issues, or special needs.

**BISHOP** Mr. Bishop asked whether there were any time issues.

**BAUGH** Mr. Baugh indicated that the individual would like to start in early June.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH NUTEC FOR MAJOR CONSTRUCTION PLAN REVIEWS. MR. DVORYAK WAS SECOND. MR. GURRERI, MR. BOWMAN AND MR. DVORYAK VOTED YES. MR. BISHOP AND MR. SCHENCK VOTED NO. MOTION CARRIED 3/2.**

**E. Authorization to Renew Amended Law Enforcement Agreement with U.S. Army Corps of Engineers**

**MR. BISHOP MOVED TO AUTHORIZE TO RENEW AMENDED LAW ENFORCEMENT AGREEMENT WITH U.S. ARMY CORPS OF ENGINEERS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-04-23 – Corflex – Action (5/30/05)**

**BAUGH** Mr. Baugh introduced the Comprehensive Plan Intern, Brandon Williams, who is currently a student at Millersville University, who will graduate in December. He is a geography major who eventually plans to get into the urban planning field. He plans to pursue his graduate studies at Penn State or Eastern University. Brandon prepared the PowerPoint presentations.

**BAUGH** Mr. Baugh stated the Corflex requested to be removed from the Agenda and requested a time extension.

**SCHENCK** Chairman Schenck indicated he was handed a request for signature for a Time Extension for Corflex to June 30, 2005.

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR CORFLEX, SUBDIVISION 04-23 TO JUNE 30, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-05-02 – York Valley Inn – Action (6/14/05)**

**BAUGH** Mr. Baugh presented background information for LD-05-02, documented in a May 5, 2005 memorandum. He explained that the applicant proposed to redevelop the York Valley Inn site by renovating the interiors of the buildings on the site and rehabilitating the facades to create new and marketable office space and to reopen the restaurant. The owners plan to raze a portion of the existing buildings in order to separate them and create a better traffic pattern on site. The Zoning Hearing Board granted the applicant variances for parking and setbacks. The applicant requested a modification also documented in the May 5<sup>th</sup> memorandum. Planning Commission recommended approval of the plan with several conditions shown in the memorandum most of which had been addressed. Staff recommended approval of the plan with several modifications, waivers and conditions.

**ENGLERTH** Mr. Tom Englerth of C. S. Davidson, Inc. identified himself as the representative for the plan. He provided an overhead slide for review.

**SCHENCK** Chairman Schenck stated that his main concern was the buffer yard. He asked what was to be done.

**BAUGH** Mr. Baugh pointed to the areas of the utility poles, etc. The plan called for planting arborvitae underneath the utility poles. Met Ed indicated they must be maintained at 10 feet tall. With the power line there that would be the best the applicant could do, plus there's not a lot of room to work in that area as far as creating some kind of a wider buffer or a buffer outside of that area underneath the power line.

**SCHENCK** Chairman Schenck asked how much of the building was to be demolished.

**BAUGH** Mr. Baugh responded that it was just the portion to the east side to allow traffic circulation. That would include some of the hotel rooms. The upper section will be removed. The façade will change and the restaurant will be maintained.

**SCHENCK** Chairman Schenck stated for clarification that the use is office. He asked about the threshold. When re-development involves demolition, at what

point is the current structure lost and setbacks become non-conforming. The physical space is tight against the property line with some of those structures.

**BAUGH** Mr. Baugh responded that once the process gets to the Land Development Plan, either the waivers are approved, or the development must conform.

**SCHENCK** Chairman Schenck asked whether the fact that they had modified the buffer yard placed this project into conformance.

**BAUGH** Mr. Baugh responded that he was correct that it was in conformance by modifying the buffer yard and they did receive the variance from the zoning ordinance for the setbacks and the parking. Some of the buildings are too close to the property line.

**SCHENCK** Chairman Schenck noted that they got a variance for that.

**ENGLERTH** Mr. Englerth stated that on the Yorklyn gate portion of the frontage, the restaurant building is over the setback line by two or three feet. Around the perimeter of the rest of the property the ordinance is met. There is enough room for the buffer yard. They want to be able to maintain the macadam in the circulation around the building so that leaves them only with four or five feet between the existing curb and macadam and the property line on the side of the property.

**SCHENCK** Chairman Schenck noted that the developer planned to do everything possible to screen the property.

**BAUGH** Mr. Baugh agreed and added that at the Zoning Hearing Board meeting, no property owners attended the meeting, which had been advertised and notification was sent to all property owners within 300 feet.

**GURRERI** Mr. Gurreri noted that they are just glad to see changes made to the property.

**BAUGH** Mr. Baugh stated that it may not be the best possible use for the property, but anything would be an improvement.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT -05-02, YORK VALLEY INN, LLC WITH THE FOLLOWING MODIFICATION AND CONDITIONS:**

- **GRANT MODIFICATION OF SALDO §411.3 TYPE 4 BUFFER YARD ALONG ALL FOUR SIDES OF PARKING LOT TO ALLOW TALL PLANTINGS AROUND THE PARKING LOT;**
- **PROVIDING FINANCIAL SECURITY IN THE AMOUNT APPROVED BY THE TOWNSHIP ENGINEER;**

- **PROVIDING A LETTER OF ADEQUACY FROM YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL;**
- **PROVIDING NAME, SEAL AND SIGNATURE OF REGISTERED PROFESSIONAL ENGINEER ON LAND DEVELOPMENT PLAN SET;**
- **PROVIDING PENNDOT HOP FOR DRIVEWAYS ENTERING MARKET STREET.**

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

**C. SD-05-01 – Meadowlands – Action**

**BAUGH** Mr. Baugh presented background information which was documented in a May 5, 2005 memorandum. He stated that the purpose of the plan is to subdivide the existing 10 acre lot into two lots for corporate offices. Lot 3A is being created as future site of the Lincoln General Insurance offices. The development for Lot 3 is unknown at this time. The applicant requested waivers from several SALDO sections shown in the May 5 memorandum. Planning Commission recommended approval of the plan with several conditions, most of which had been addressed. Staff recommended approval with several waivers. Mr. Baugh stated that the site location is east of the post office.

**LUCIANI** Mr. Luciani showed an artist's rendering of the plan.

**BAUGH** Mr. Baugh indicated it was a nice plan and nice building.

**SCHENCK** Chairman Schenck questioned whether a Land Development Plan would be coming.

**LUCIANI** Mr. Luciani responded that they are reviewing traffic and storm water for that now.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION-05-01, MEADOWLANDS BUSINESS PARK, LOT 3 WITH THE FOLLOWING:**

- **GRANT A WAIVER OF SALDO §304/305, 1 PRELIMINARY PLAN;**
- **GRANT A WAIVER OF WAIVER OF SALDO §502 STREET SYSTEM;**
- **TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER FOR STREETS, SIDEWALKS, UTILITIES AND DRAINAGE.**

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

**BISHOP** Mr. Bishop commented that the Board of Supervisors will be having an Act 10 hearing in June on the proposed methadone clinic in the Pleasant Acres area. There may be interested property owners who want to make

comments, and Mr. Bishop would be interested in hearing what those property owners in that area might have to say.

**LOBACH** Attorney Jeff Lobach responded that he had read about it in the newspaper. He asked exactly what the Act 10 hearing would cover.

**BISHOP** Mr. Bishop responded that it would be the extension of Davies Road to the south essentially, and to the west side of the road.

**LOBACH** Attorney Lobach noted that it would be close to the Stony Brook Shopping Center.

**BISHOP** Mr. Bishop responded that it would not be close enough to legally require notification, but close.

**GURRERI** Mr. Gurreri indicated it would be in the area where the 911 center will be built, on the north side of it on Davies Road.

**BISHOP** Mr. Bishop added that it will be property adjacent to some of the ones to the south of the property just addressed.

**LOBACH** Attorney Lobach asked when the hearing will take place.

**BISHOP** Mr. Bishop responded it will be June 23<sup>rd</sup> at 6 p.m. There will be some legal notices going out but they don't always get where they need to go.

**8. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that he had received mail from a resident near Bonnevieu Road concerning truck parking.

**BAUGH** Mr. Baugh stated that in early January the owner of the truck tractor had been sent a threatening courtesy letter. The end of February he was sent a formal enforcement letter. After that time he moved the truck tractor to a commercial zone and parked it in on an unoccupied property. After several calls from a concerned citizen, the property owner told him he couldn't park it there any more. Recently he moved it to Bonnevieu, and earlier this week the Township filed a civil complaint with the District Justice.

**BOWMAN** Mr. Bowman asked about the time duration for action.

**BAUGH** Mr. Baugh responded that it would probably be about three to four months. However, the truck driver will be sent a copy so that he knows at least that it has been filed with the District Justice. As far as setting the hearing, they're pretty quick about that.

**BOWMAN** Mr. Bowman commented that he should move it and get it out of there.

**BAUGH** Mr. Baugh indicated that the civil complaint only asked for \$500. If the owner moves the truck, the Township could accept the \$500 and settle it prior to the hearing.

**SCHENCK** Chairman Schenck commented that he had visited the area and observed the people attempting to leave the apartment building. He had been there for approximately 20 minutes, and it had been very difficult for them to see around that truck.

**BAUGH** Mr. Baugh added that Greg Henry saw it there on Monday of this week and took photographs, and if it goes to court the photos will be provided for extra support.

**GURRERI** Mr. Gurreri reported that he had attended a Historical Preservation Committee meeting, which he found interesting.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing to add to his written report

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman explained an item in his supplemental report concerning road and traffic complaint reports. A monthly meeting will be held with Chief Eshbach, Mr. Baugh, Mr. Lauer, Mr. Luciani and Mr. Stern. They will be reviewing complaints, seeing what actions have been taken on them, and get a report back to the Board on what action should be taken. Their first meeting had been held, and he felt this would be a good way to address the complaints in a timely manner.

**SCHENCK** Chairman Schenck stated it was a good idea. He added that the electronic speed sign had been in front of his house off and on. He could hear the difference in the speed. It really does a job. He asked whether it had any recording capabilities built into it.

**ESHBACH** Chief Eshbach responded that it did not, and he added that it would not provide a good estimate because motorists are all slowing down.

**SCHENCK** Chairman Schenck wondered whether it would record a peak speed.

**ESHBACH** Chief Eshbach responded that the technology exists; however, the units that Springettsbury has do not have the capability.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

- BOWMAN** Mr. Bowman asked whether the sign is certified accurate.
- ESHBACH** Chief Eshbach responded that it is within a mile per hour. When they are purchased they are certified, and the Police Department runs a car through and clocks it with Vascar to within a mile per hour either way.
- BISHOP** Mr. Bishop asked about the progress of the median on Memory Lane/Haines Road at the Weis Market.
- LUCIANI** Mr. Luciani responded that there is a HOP in for some comments. As soon as HOP is received, it will be determined whether to build it with Public Works or to bid it. They expect that within the next 30 days. Walgreen's is moving quickly with building the store, which should be completed in about four months.
- HOLMAN** Mr. Holman stated that he would like to bid the median to see what the cost would be versus what Public Works could do.
- BISHOP** Mr. Bishop wondered whether there was anything to keep from bidding it out now.
- HOLMAN** Mr. Holman stated that the HOP approval is necessary.
- LUCIANI** Mr. Luciani stated that the constructions could be updated and then put it out for bid. There were some estimates and Weis had contributed, as well as Walgreen's estimate.

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

**A. Resolution No. 05-41 – Authorizing the Submittal of an FY2001 Grant Application to the EPA**

- HOLMAN** Mr. Holman stated that the Resolution covers a simple change of name for signature. When the grant was submitted in 2001 it had a different Resolution, different set of names. The change is needed in order to close out the grant.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-41. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-42 – Authorizing a Supplemental Appropriation for Sewer Funds for Capital Projects**

- SCHENCK** Chairman Schenck stated that this covers the appropriation earlier discussed to transfer money over to pay for the sewer project on Eden Road.

**HOLMAN** Mr. Holman stated that the number is higher than the budget number. He was reviewing the cost of the additional engineering costs, the permitting costs, the oversight costs. He has a 15% number there in case there are cost overruns. If there were they would have to come before the Board for approval. Any remaining funds would lapse back into the surplus.

**SCHENCK** Chairman Schenck asked whether it will become part of the budget.

**HOLMAN** Mr. Holman responded he was correct. The budget will be amended. It does not affect sewer rates as the money was reserved.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 05-42 AUTHORIZING A SUPPLEMENTAL APPROPRIATE FOR SEWER FUNDS FOR CAPITAL PROJECTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution no. 05-43 – Authorizing a Supplemental Appropriation from General Fund Reserves for Legal Settlements**

**SCHENCK** Chairman Schenck indicated this was an appropriation from the general fund for a legal settlement and this is looking for an increase of \$80,000.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-43. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-44 – Accepting Responsibility for Operation and Maintenance of Traffic Signal After Construction**

**MR. BISHOP MOVED TO APPROVE RESOLUTION 05-43. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked when construction would take place.

**HOLMAN** Mr. Holman responded that it should take place this summer.

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing and Regular Meeting – April 28, 2005**

**GURRERI** Mr. Gurreri noted that he felt some facts were missing in the minutes. He mentioned comments that Mr. Dvoryak brought up concerning the ordinance and its interpretation. Mr. Hengst had attempted to explain his decision. Also there was comment that Mr. Hengst had 50 people put in extra tanks in accordance with the regulations. Mr. Gurreri felt that some of those comments should be included because the Supervisors ask

questions for the residents. He added that Mr. Schenck had made a comment about common sense.

**DVORYAK** Mr. Dvoryak noted that his comment related to making the distinction that Mr. Weikert raised as to whether he was required a permit or not. Mr. Dvoryak interpreted the section and felt he was not required to have a permit. He was agreeing with the appellant that he did not need a permit based on his interpretation. However, he added it was not a legal interpretation.

**GURRERI** Mr. Gurreri stated he thought his comment was very good.

**HOLMAN** Mr. Holman stated that it should be made clear regarding the installation of the 50 tanks. All the tanks installed weren't due to this same case with the baffles.

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS PUBLIC HEARING AND REGULAR MEETING MINUTES APRIL 28, 2005 AS AMENDED. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop questioned whether the minutes should be approved since, because the matter is complex, it would make sense to actually see the correction before approving the minutes.

**MR. GURRERI WITHDREW HIS MOTION TO APPROVE THE MINUTES. MR. DVORYAK AGREED TO WITHDRAW THE SECOND.**

**MR. GURRERI MOVED TO TABLE APPROVAL OF THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING AND REGULAR MEETING OF APRIL 28, 2005 UNTIL THE NEXT MEETING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Appeal of Sewage Enforcement Officer's Interpretation by Robert Weikert, 827 Locust Grove Road.**

**HOLMAN** Mr. Holman stated that he had provided a Sewer Appeal Clarification of the appeal to the Board. In his report he detailed the two issues and made a recommendation on two conclusions for the Board. This was based upon the statutory readings, interpretations from DEP, and also a decision reached by the Board in 2002 in a like case whereas the baffle was an integral baffle as opposed to an attached baffle. If the Board wishes to they could take action on the appeal tonight. Mr. Holman did not have any additional information from DEP. He had attempted to call three or four times. However, he had received an email from the gentleman who

did the original opinion with DEP. Mr. Holman met with Mr. Hengst and Mr. Baugh and had the opinion he had written reviewed by the Township Solicitor who concurs with the opinion as it does follow the same thought lines as were in the previous appeal, although the decision is different because the type of baffle is different. It's not integral to the tank. It is attached to the tank. So in this case based on the review is that (1) yes, a permit would be required because an inspection would have to be made to make sure that the baffle was installed properly, but in further review and looking at the old case and DEP's interpretation of the rules and regulations and the statute that by doing the baffle, the tank would be brought up to its original operating standards so, therefore, that would be the repair that would be necessary. Mr. Holman found nothing contrary to that. Mr. Holman expressed an interest in obtaining further information from Jim Novinger of DEP with regard to integral baffles. Other than that there haven't been any changes with regard to the rules and regulations that he had been able to find or anything that would change the decision that was made by the Board in the year 2002. He researched very hard to try and find something. He had found that Springettsbury Township has excellent inspectors and their decisions are usually very clear and concise.

**RAUSCH**

Solicitor Rausch suggested that Mr. Weikert had asked for an advisory opinion. No appeal had been filed, and nothing had been denied. In this circumstance the Board could just clarify the policy.

**SCHENCK**

Chairman Schenck indicated that Mr. Weikert has a hole in his yard and he'd like to get it fixed. He asked the Board what they were comfortable with. Also the comment about the hearing related to the minutes, it got complicated. It was called a public hearing, but perhaps that should be stricken. It would have been a public hearing if there had been a permit issued, but there was no permit issued.

**RAUSCH**

Solicitor Rausch stated it was just a discussion on policy.

**HOLMAN**

Mr. Holman indicated that what he had forwarded was a clarification on that policy based on his review of the historical records.

**SCHENCK**

Chairman Schenck stated that the policy, just so everybody that doesn't have what's in front of the Board states (a) yes, Mr. Weikert does need a permit to do the work; however, (b) the specific work that needs done does not require him to put in a second tank. He can just go ahead and fix his baffle.

**HOLMAN**

Mr. Holman added that it can be fixed because it's an attached baffle and not an integral baffle. It had taken Mr. Holman a while to figure out what the difference was between an integral baffle and an attached baffle. He wanted further clarification from DEP, not with regard to integral baffles,

but the repair to the integral. If the integral baffle needed to be repaired and that is all that needed to be repaired, the second tank probably still has to go in, but can they leave that tank in. Mr. Hengst asked him to clarify that. He indicated it was merely for him to clarify something in the letter from Mr. Novinger. With an integral baffle the tank absolutely must be brought up to Act 72 standards. An attached baffle can be replaced because it is not an integral part of the tank. It wasn't built with the tank but was attached afterwards.

**MR. GURRERI MOVED TO APPROVE ROBERT WEIKERT'S, 827 LOCUST GROVE ROAD ON-LOT SYSTEM BE ALLOWED TO REPLACE THE BAFFLE AND NOT PUT AN EXTRA 500 GALLON TANK IN BUT A PERMIT WOULD BE REQUIRED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked Mr. Holman for his research and documentation.

**B. Naming of Road East of Monroe Muffler and West of the Road House Restaurant.**

**SCHENCK** Chairman Schenck reported that he had received a letter from the owners of the Road House Restaurant asking the Board to consider naming the road Lela's Way, which actually some day will be a Township road whenever it is connected to Davies Drive.

**HOLMAN** Mr. Holman stated the property owners along there would have to be surveyed about changing the name. He would like to respond and indicate that it is under review. The Township has not adopted the road, so the Township cannot name it at this time.

**SCHENCK** Chairman Schenck commented on fire company issues. There is a lot of confusion where streets change names.

**BISHOP** Mr. Bishop suggested that it might be a good idea to develop some kind of a policy on naming streets or changing the names of streets. He did not think the Township should be in a position to have to decide on changing a street name to do so without any framework. He suggested that they name something in the park.

**HOLMAN** Mr. Holman stated he would draft a response based on the Board's discussion. At this point the Township is not ready to name it because the Township does not own it; however, it will be kept under consideration should it ever be adopted.

**SCHENCK** Chairman Schenck noted that he had seen in other communities where they sub-name streets even though it's not official.

**C. Traffic Count – Sundale and Crystal Lane**

- HOLMAN** Mr. Holman stated that Chief Eshbach would be able to answer any questions with regard to that traffic count as well as Mr. Luciani.
- SCHENCK** Chairman Schenck noted that he had trouble understanding what the charts meant.
- LUCIANI** Mr. Luciani stated that the posted speed there is 25.
- ESHBACH** Chief Eshbach explained the report to Mr. Schenck's satisfaction. The report indicated that the area was a breaking point for traffic calming in that 85% of the motorists were traveling at 35 miles per hour or less. There were 11% in the citable range. No one went over 51 miles an hour. Three cars were between 46 and 50.
- SCHENCK** Chairman Schenck asked if the residents would receive a copy of this data.
- HOLMAN** Mr. Holman responded that he would be meeting with them to provide the data.
- LUCIANI** Mr. Luciani indicated that he would have expected, based on what the residents reported, that the figure would have been higher.
- DVORYAK** Mr. Dvoryak stated he had seen an article in the newspaper that stated that 65% of the respondents do not want local police to use radar.
- HOLMAN** Mr. Holman commented that based on the staff meeting where the numbers will be reviewed with the Chief and recommendations will be made, Chief Eshbach will continue to observe the road and signs, etc. in accordance with the standards.

**14. NEW BUSINESS:**

- BISHOP** Mr. Bishop stated concern about a comment in the Manager's Report about the possibility of a new garbage contract.
- HOLMAN** Mr. Holman responded that he could not discuss that in an open session; however, by Monday he should have full clarification to the Board.
- BISHOP** Mr. Bishop stated that his only issue on the subject was if it is to be bid, it has to begin fast.
- HOLMAN** Mr. Holman stated he had some preliminary work started but was expecting information based on his discussions with the trash contractor.

**Zoning Hearing Board Alternates**

- BISHOP** Mr. Bishop suggested acting on the appointments to the Zoning Hearing Board.
- SCHENCK** Chairman Schenck indicated there were two people interviewed earlier who are both interested in serving as alternates to the Zoning Hearing Board.
- BISHOP** Mr. Bishop asked whether it had been the Board's intention to have two alternates.
- HOLMAN** Mr. Holman responded that the preference is to have three alternates on the Board. These are the two applications received at this point.
- BISHOP** Mr. Bishop noted that the appointments are just for the remainder of this calendar year.
- HOLMAN** Mr. Holman responded that the next appointment would be for the three-year period but then they would tie in to the beginning of the year because mid-year appointments tend to get lost.

**MR. BISHOP MOVED TO APPOINT BILL BENDER AS AN ALTERNATE TO THE ZONING HEARING BOARD TO SERVE UNTIL THE END OF 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED TO APPOINT MIKE PAPA AS AN ALTERNATE TO THE ZONING HEARING BOARD TO SERVE UNTIL THE END OF 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- HOLMAN** Mr. Holman reported that the light at Mundis Mill and the new high school will begin flashing next week.
- GURRERI** Mr. Gurreri asked if anything had taken place regarding Sheridan Road.
- LUCIANI** Mr. Luciani responded that they are working on the signals.
- GURRERI** Mr. Gurreri noted he was referring to the curve and the residents.
- HOLMAN** Mr. Holman responded that they are working on that issue as well.
- SCHENCK** Chairman Schenck stated that there is some digging going on out there.
- LUCIANI** Mr. Luciani reported that they had met with S&A Homes at staff meeting on Tuesday. They have a new project manager and had inquired about the commitment of S&A Homes. They're trying to close out their PennDot

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 12, 2005  
APPROVED**

permit. They were supposed to put curbs, grade it up, so there is some progress due to S&A Homes improving their segment of the roadway.

**HOLMAN** Mr. Holman added that they will try and get that done this summer.

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 28, 2005 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  
George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Betty Speicher, Director of Human Services  
Dori Bowders, Manager of Administrative Operations  
Mark Hodgkinson, Director of Wastewater Treatment  
Dave Eshbach, Chief, Police Department  
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 welcomed the attendees and indicated that Pastor James Crawford of Eastminster Presbyterian Church would offer the opening prayer.

**CRAWFORD** Pastor Crawford prayed over the meeting.

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

**GURRERI** Mr. Gurreri thanked Pastor Crawford for attending the meeting. He added that Mr. Dvoryak is a member of his congregation.

**SCHENCK** Chairman Schenck welcomed Ronald Filius of Boy Scout Troop 25, who was present and working on his Citizenship in the Community Merit Badge.

**2. PUBLIC HEARING – DEVELOPMENT AUTHORITY:**

**SCHENCK** Chairman Schenck indicated that a Public Hearing would be held at this time within the Regular meeting agenda regarding a proposed Resolution

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

to create a new municipal authority. The purpose of that authority is to create a vehicle to enhance economic growth opportunities within the Township.

**HOLMAN**

Mr. Holman stated that the purpose of a Public Hearing is to take public comment. He indicated that a short presentation on the grant program was available if the Board desired further explanation.

**SCHENCK**

Chairman Schenck stated that the Township has the opportunity to pursue funding to do necessary improvements within the Township, and in order to do that an Authority needed to be created.

**EVANS**

Mr. H. Stephen Evans, Managing Director, Retail Division of High Real Estate Group, introduced Scott Tochterman, Vice President, Development Services, Delta Development Group, and Ken A. Hornbeck, Director of Development Services of High Real Estate Group. He stated that the Board had been presented with a consideration of the formation of a development authority so that the Township could pursue economic development on behalf of the community. The project in the application is one example for the benefit of the community where the Township can pursue funding that is available through the state for redevelopment. This project at the York Town Center is to redevelop the Bon Ton Distribution Center, which is part of the Flexible Zoning District. It also contains the former York Caterpillar plant. They had come before the Board recently and had briefly described the project. He commented on some of the on and off-site issues. A sketch plan of the project had been reviewed by the Planning Commission and the Zoning Hearing Board.

**TOCHTERMAN**

Mr. Scott Tochterman stated that the state's Infrastructure Facility Improvement Program is a new program that the state is offering under the Commonwealth's stimulus package and is designed for redevelopment and retail projects. He explained the program in detail and provided a Power Point presentation. They had been working closely with Township staff to bring this together for an IFIP April 30<sup>th</sup> deadline.

**HORNBECK**

Mr. Ken Hornbeck, High Real Estate Group, focused on the significant roadway improvement construction proposed with the grant money to be awarded in conjunction with the Township and the Authority created. The improvements included extensive widening improvements to Mt. Zion Road corridor from Route 30 all the way across the train tracks to the south, as well as some money being available for improvements to the Market Street/Mt. Zion Road intersection. In addition to road widening along Mt. Zion Road there will be a significant upgrade to Mt. Zion/Concord Road intersection. A signal there currently exists, but widening will be done to include dual left-turn lanes in all but four directions for that intersection with the assumption that the Concord Road

Extension does go through. That Extension should take some significant pressure off of Market Street. Improvements will be made to the Route 30 westbound off ramp from Mt. Zion Road to Route 30 eastbound off ramp at Mt. Zion Road. Signals will be upgraded and integrated with the new signal being installed to service the shopping center. Significant funding will be contributed toward the improvement widening at Concord Road in conjunction with the extension project as well as contributing to new signalization at Northern Way and Industrial Highway. Well over \$2 to \$3 million worth of roadway improvements will be coming in conjunction with the project through the Authority, should it be approved.

**TOCHTERMAN** Mr. Tochterman stated that in terms of the actual request being made to the state, the request is for \$670,000 a year over a 10-year period. The state has a pool of funding of \$5 million for that first year, so we're asking for approximately 12% of the state's initial allocation. Senator Armstrong has been very supportive. He would be prepared to submit the application on our behalf. Representative Gillespie has been very supportive and staff has been with us at every one of those meetings. In addition, they had met with Representative Macareth, York County Commissioners, and Planning Commission made a presentation to the York Area MPO with Township staff, and they have been a part of the process every step of the way. He strongly emphasized the collaboration involved. The application must be sponsored by a public authority, so a Resolution was needed from the Authority as well as authority given to a member of the Board or staff to sign the application in order to submit it according to the deadline established by the state.

**BISHOP** Mr. Bishop asked for an overview of the flow of funds.

**TOCHTERMAN** Mr. Tochterman responded that the \$6.7 million request would be for \$670,000 per year over 10 years and would include a hard construction estimate of over \$4 million. They assumed an interest cost based on what the bond issuance interest rate would be on tax exempt bonds, as well as estimates for all the issuance fees where there is any debt. It is an all-inclusive number in that respect as to how the figure goes from \$4.3 million to \$6.7, which involves the interest cost. The Authority would be the recipient of the state funding, and the Authority would use that state funding, an annual grant, to retire debt service that would be issued for these improvements. When the amount of the grant is made known, they will then go through the steps of issuing debt.

**SCHENCK** Chairman Schenck noted that the state is securing these funds through an allocation of the state sales tax. He asked whether this would be proportionate to any project depending on the sales tax and would it still pay what was originally discussed.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

**TOCHTERMAN** Mr. Tochterman responded that within the program guidelines there is a provision where after year four, an assessment is made as to whether or not the project generated the sales tax that was projected. What the project estimates would generate in terms of sales tax and what actually was requested was only 20% of the increment that will be generated so there's a large coverage ratio there.

**SCHENCK** Chairman Schenck commented that he could see some other projects fitting well within the intent of this Authority. He asked whether the program could be extended.

**HOLMAN** Mr. Holman indicated that there would have to be another application but there are other programs, which could be applied for as an Authority to help with economic redevelopment or development. One of the goals is to keep or add to employment within the community.

**TOCHTERMAN** Mr. Tochterman agreed and indicated that where an area is only employing a handful of people, there would be two and a half to three times what had been there in terms of employment.

**SCHENCK** Chairman Schenck commented on his concern for the incremental costs incurred in the establishment of a Bond. He wondered whether there was a way to combine some of those costs into this Authority.

**HOLMAN** Mr. Holman responded that there are associated costs, such as a Bond attorney, but the costs had all been built into this application.

**SCHENCK** Chairman Schenck suggested that money could be borrowed above that and paid back.

**HOLMAN** Mr. Holman agreed that the payback would be possible and could come from future development.

**TOCHTERMAN** Mr. Tochterman indicated that the application has a deadline of April 30 and the decision on the funding through this program for the current fiscal year must be made by the end of June. The state is searching for projects that are ready to go, and this happens to be one of those projects.

**DVORYAK** Mr. Dvoryak asked whether the State commitment, if approved, would be guaranteed for the first four years.

**TOCHTERMAN** Mr. Tochterman responded that the grant is renewed every year as part of the state budgetary process.

**DVORYAK** Mr. Dvoryak commented that the funds included in this approval would be for a one-year period.

**TOCHTERMAN** Mr. Tochterman responded that every project that would be approved under this program would be relying on the state programming money for this particular program on an annual basis for the 10-year period.

**SCHENCK** Chairman Schenck stated that this had been a Public Hearing. He asked whether there were any questions or comments from the public.

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, noted the money would come to the Township over a 10-year period, but the project would be paid out of a Bond issue. He asked whether it had been reviewed to the point where taxes would not increase to meet the Bond issue until the money comes in from the State over 10 years. Additionally, he asked whether State approval fees had been included.

**TOCHTERMAN** Mr. Tochterman responded that the inspection fees were accounted for in the \$4.3 hard construction costs number. These funds are administered through the Department of Community and Economic Development. They are Economic Development dollars and come with some of the strings of Federal or PennDot transportation dollars. They are designed to get out on the street and build things quickly partly because DCED is interested in economic development and partly to make the governor and administration look good. This is coming on top of the MPO's based allocation and is not competing with other projects. In terms of the funding request, it's an annual request on a year/two-year basis. If the state was late in terms of passing its budget, that was factored in to that \$6.7 request for a debt service reserve fund which is more than a year's payment in that number and that annual debt service needs to be retired and the debt service reserve fund had been included.

**HOLMAN** Mr. Holman stated that he had done this program in another state and everything is protected including factoring in the Bond attorney's costs.

**SCHENCK** Chairman Schenck thanked the representatives from Delta Development and High Real Estate Group for their presentation. He adjourned the Public Hearing at 7:30 p.m.

**3. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that there had been no need for any Executive Sessions and none were scheduled.

**4. COMMUNICATION FROM CITIZENS:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

**SCHENCK** Chairman Schenck invited the attendees for public comment and asked that they please use the microphone and provide their name and address for the record.

**STUHRE** **Blight/Storm Water Management**  
Mr. Charles Stuhre, 3680 Trout Run Road, had several comments regarding storm water management and neighborhood blight, which he understood was being processed by the Township. He cited the locations as a residence on Druck Valley Road, and storm water management undermining Trout Run Road.

**SCHENCK** Chairman Schenck asked Mr. Holman to pass the request along to Mr. Lauer.

**HOLMAN** Mr. Holman indicated that it had been fixed before for the same reason. He stated he would discuss that with Mr. Lauer.

**PICHLER** **Sundale/Crystal Lane Speed**  
Mr. Matt Pichler, 2485 Crystal lane, spoke about traffic and speed on Sundale Drive. He voiced continued concern with speeding in the area of their residences, the fact that children play and go to school in the area. Mr. Pichler cited the recent accident at the Kingston Road intersection.

**NORTON** Mrs. Denise Norton, 488 Sundale Drive, echoed Mr. Pichler's concerns about the speeding. A vehicle had driven through her front yard on one occasion, which could have jeopardized her children had they been playing in the driveway. A petition had been circulated by Mr. Pichler which he had presented to the Township signed by 21 families. She specifically requested more police coverage than had been evidenced in the past, as well as whatever could be done to deter speed.

**SCHENCK** Chairman Schenck indicated that the traffic count was done on Kingston several years ago. The statistics of the average speeds would be available.

**PICHLER** Mr. Pichler noted that one main problem is that there are stretches of roads that have no stop signs or anything to slow the traffic down. Both he and Mrs. Norton would appreciate anything the Board could do to help to slow the traffic.

**DUNBAR** **Water Runoff**  
Mrs. Elizabeth Dunbar, 711 Skyline Drive, provided photographs for the Board of their property. She and her husband visited the Board in October, 2004 and discussed the water draining from the road into their front yard. Township officials had come to their home and left messages, but nothing had happened since then. She cited the difficulties they have

with the water coming onto and into their property and asked whether anything could be done to help.

**LUCIANI** Mr. Luciani responded that he and Mr. Holman visited the home off of North Sherman Street. He recalled leaving his card in the door. Mr. Luciani suggested that a field meeting would be appropriate.

**HOLMAN** Mr. Holman added that they had made several attempts to reach them by telephone. They will set up a time to come to the property again.

**SCHENCK** Chairman Schenck recalled reading a report that there had been some field work done. He reassured them that Mr. Holman would contact them and to be sure to leave a telephone number with him.

**5. ENGINEERING REPORTS:**

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

Mr. Schober was not present; however, he had provided a written monthly report.

**HOLMAN** Mr. Holman stated that he had received Mr. Schober's final report on the review of the low bidder for the Eden Road Interceptor project. The project will come to the Board for action at the next meeting.

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

**LUCIANI** Mr. Luciani presented several updates in addition to his written report. He stated that correspondence had been written indicating that the roadway shown is acceptable, and the hope is that the PUC application can then be completed and Norfolk Southern will withdraw their complaint and work can move forward with design for the Concord Road connector. Secondly, he had received plans for Deininger Road and Mt. Zion Road; miniature copies will be provided to the Board. Bid document work continues with PennDot re/Sherman Street/Mundis Mill Road signal. The developer from the Carter farm attended the staff meeting discussion of the traffic signal work. Mr. Luciani added that further on the Agenda the temporary signal project will be reviewed.

**GURRERI** Mr. Gurreri congratulated Mr. Luciani on the receiving the PSATS First Runner Up award for the Traffic Calming Project at Eastern Boulevard and Market Street.

**SCHENCK** Chairman Schenck stated he was sorry some of the residents weren't present because they had worked very hard for that result of lower speed and volume.

**LUCIANI** Mr. Luciani indicated an effort would be made for a more formal presentation to some of the Focus Groups involved. He is working with Mr. Holman on it.

**6. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 28, 2005**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS LISTED FOR APRIL 28, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for action.

**8. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. Application for Location of Methadone Treatment Facilities by the County of York at the Intersection of Heindel Road and Davies Drive Extended**

**BAUGH** Mr. Baugh stated that the County of York had filed an application for the location of a methadone treatment facilities located on the property within 500 feet of a residential housing area. In accordance with Section 621 of the Pennsylvania Municipalities Planning Code, the governing body must hold a Public Hearing at least 14 days prior to voting on whether to issue a Certificate of Use for the facilities at the proposed location. All owners of real property within 500 feet of the proposed location must be notified at least 30 days prior to the hearing. The request asked for a date for the hearing.

**SCHENCK** Chairman Schenck asked an additional question about the procedures. He had received an explanatory note from Solicitor Rausch. He understood that the hearing had been triggered because the location is within 500 feet of a listed use. He asked some specific questions as to the Board's responsibility as it seemed like the state law would suggest that the methadone clinic would not be permitted unless the Board approved.

**RAUSCH** Solicitor Rausch responded that the closest analogy would be a liquor license transfer where the applicant presented to the Board that bringing in that use will not be detrimental to the health, etc. to the community. The standard is that the County will present evidence as to the location of the facility and how it will not have much impact on any of those uses that would be within 500 feet.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

- SCHENCK** Chairman Schenck wanted to be clear that the burden of proof is on the developer.
- RAUSCH** Solicitor Rausch stated that the only standard the Board could utilize is to listen to the evidence and determine whether or not the location for its use is detrimental.
- SCHENCK** Chairman Schenck noted that if the Board determined that it would be detrimental, then so be it, but if the Board indicated that it is not detrimental then just as well.
- RAUSCH** Solicitor Rausch stated that then the applicant could move forward with land development.
- BISHOP** Mr. Bishop added that it would be important to consider the affect that the facility might have on the community as a whole.
- RAUSCH** Solicitor Rausch responded that he was correct. If that facility would be placed outside the 500 foot zone and nothing would be located within that, no hearing would be necessary. They can just move forward with land development. The issue here is the 500 feet.
- HOLMAN** Mr. Holman added for clarity that it is 500 feet from the property line for the whole property.
- SCHENCK** Chairman Schenck asked what the staff needed. He also asked for the desire of the Board.
- HOLMAN** Mr. Holman stated that the staff was looking for a public hearing at 6 p.m. prior to the June 23<sup>rd</sup> meeting. There is a 30-day advertising time frame. Following the hearing.
- Consensus of the Board was to re-advertise to have a public hearing and announce at that hearing to continue to a specific date.**
- RAUSCH** Solicitor Rausch noted that County representatives were in the audience. He asked whether June 23<sup>rd</sup> time frame would be satisfactory for them.
- NOLL** Mr. Chuck Noll, County of York, responded that it would be agreeable.
- SCHENCK** Chairman Schenck wanted to be sure they were aware of the summer schedule with only one meeting a month. The next meeting would be on July 28<sup>th</sup> and no vote could be taken at the hearing.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

**HOLMAN** Mr. Holman stated that the Act 10 Hearing would be at 6 o'clock on June 23<sup>rd</sup>; next possible action would be July 28<sup>th</sup>. He added that there was a 30-day appeal period.

**RAUSCH** Solicitor Rausch stated that the section doesn't really address that, although there would be an appeal period.

**MR. BISHOP MOVED TO SCHEDULE THE PUBLIC HEARING FOR SIX O'CLOCK ON JUNE 23<sup>RD</sup>. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**9. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that he attended the PSATS convention 4/17-20/05. There were several Resolutions passed, which he had available for anyone who wanted to review them. There were a number of good speakers, one of which was Governor Rendell who spoke on Act 72, and he encouraged school board members to vote for Act 72. There was a speaker, Chief Richard Picado of the New York Fire Department, who was in the 9/11 second tower when it came down. He wrote a book, "Last Man Down," which Mr. Gurreri reported was a chilling story. He stated that there are 2,800 certified Code Officials in Pennsylvania and that there is a need for Appeals Boards.

**HOLMAN** Mr. Holman stated that Springettsbury is part of the County-wide Joint Appeals Board. He added that four of the certified Building Code Officials work in Springettsbury Township.

**GURRERI** Mr. Gurreri asked about the North Hills land/park. He recalled previous discussions and a potential proposal. He wondered whether anything was being done with that.

**HOLMAN** Mr. Holman responded he would review that with Mr. Wendel. He noted that there was a presentation made during the Comprehensive Plan, but he will investigate it and report back to Mr. Gurreri.

**DVORYAK** Mr. Dvoryak reported he had been contacted by two residents of the community who received a rather threatening letter from the Code Enforcement Officer with a \$500 a day fine for non-compliance. The gist of the letter was that the gentleman was cleaning out his garage and temporarily parked his car on the lawn, at about the same time the Code Enforcement Officer drove by and noted that he could not park on the lawn. The resident was upset, not only about the approach that had been taken to notify him, but also the letter written in a threatening manner, which ended with a statement if he wasn't guilty to just disregard the

letter. Mr. Dvoryak was not certain that the Ordinance cited actually prevented this activity, and he intended to review the matter.

**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 reminded the Board of an opening of Commerce Bank on Saturday with ribbon cutting at noon. He and two members of the Board will be attending. He reminded the Board about Arbor Day, April 29<sup>th</sup> at Stonewood Park. A meeting had been held with the Adult Park User Group and that will be moving forward. Under Old Business he will reschedule the Road Tour. Also provided to the Board was a third updated Job Description for Staff Accountant, which he asked the Board to consider under New Business along with the positions for Administrative Clerk and Public Works Recreation Clerk. When a position opens, a review is made of the Job Description to be sure that it is compliant with the current statutes. If any changes need to be made they are updated and then come before the Board for approval. The Staff Accountant position was reviewed with the personnel attorney with our Administrative staff, Human Relations and with the Director, Mr. Hadge.

**BISHOP** Mr. Bishop asked for an update on the brush pick up.

**HOLMAN** Mr. Holman responded that the pick up is well underway and brush trucks had been regularly picking up brush since April. This will continue into the end of October. A notice had been issued in the last newsletter along with the orange stickers.

**BISHOP** Mr. Bishop indicated his stickers had fallen off the side of his plastic garbage can.

**HOLMAN** Mr. Holman responded that extra stickers are available. Within the next few months he hoped to have a report from the trash contractor on the tonnage of brush picked up. He reported that the Township is 17<sup>th</sup> of the top 20 recycling communities in Pennsylvania.

**BOWMAN** Mr. Bowman asked whether the separate brush is a state requirement.

**HOLMAN** Mr. Holman responded that it is a DEP requirement for townships of the size and population of Springettsbury. It was a requirement that it had to be curbside collection. The Township's choice was how many times to allow it to be picked up.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

**GURRERI** Mr. Gurreri stated that the Police Pension Board will meet on May 4<sup>th</sup>. He asked about the minutes for the previous meeting.

**HOLMAN** Mr. Holman responded that the minutes will be sent out with an Agenda and correspondence to all the members. He asked for four members of the bargaining unit and at least two members from the Board of Supervisors attending each meeting for a Quorum in order to conduct business.

Mr. Holman reported that an outstanding meeting had been held on Tuesday evening Comp Plan and the Public Forum. There were over 100 residents who attended that meeting. It was a good meeting and nice to see that kind of turnout. He thanked the Board members who attended, enjoyed the meeting and got a lot of feedback from the residents.

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

**A. Resolution No. 05-39 – Intent to Organize a Municipal Authority (Springettsbury Township Development Authority).**

**SCHENCK** Chairman Schenck clarified that the action would not create the Authority discussed earlier, but rather just caused the intent so that people could begin working on creating it.

**HOLMAN** Mr. Holman stated that it will allow the advertisement for the created Authority and provide an ordinance. Once that advertisement is out for three business days, then the paperwork will be submitted to the Department of State.

**MR. BISHOP MOVED TO ADOPT RESOLUTION 05-39 – INTENT TO ORGANIZE A MUNICIPAL AUTHORITY (SPRINGETTSBURY TOWNSHIP DEVELOPMENT AUTHORITY). MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Approval of Articles of Incorporation of Springettsbury Township Development Authority**

**MR. BISHOP MOVED TO APPROVE THE ARTICLES OF INCORPORATION OF SPRINGETTSBURY TOWNSHIP DEVELOPMENT AUTHORITY. MR. DVORYAK WAS SECOND.**

**DVORYAK** Mr. Dvoryak questioned the staggering of terms.

**HOLMAN** Mr. Holman indicated that the terms must be staggered each year. The next appointment will be for Mr. Schenck to be re-appointed to the Board for a five-year term. Each year one member of this Authority will re-appointed on a rotating basis.

**BISHOP** Mr. Bishop added that one would need to be a member of the Board of Supervisors to be appointed to the Authority.

**HOLMAN** Mr. Holman added that the Board may make other decisions with regard to the Authority as it moves forward and the Authority matures.

**MOTION UNANIMOUSLY CARRIED.**

**13. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – April 14, 2005**

**MR. BISHOP MOVED TO APPROVE THE APRIL 14, 2005 WORK SESSION MINUTES AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – April 14, 2005**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS MEETING APRIL 14, 2005 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. OLD BUSINESS;**

**A. Authorizing Submission of Temporary Lighting Permit – Mt. Zion Road/North Sherman Street, and North Sherman Street/Mundis Mill Road.**

**SCHENCK** Chairman Schenck indicated that item A would address the signals at the bottom of Mt. Zion Hill in conjunction with the new Central High School.

**HOVIS** Attorney Steve Hovis stated that he represented the Central York School District. He indicated they had appeared at the April 14<sup>th</sup> meeting to discuss consideration of a Resolution associated with the traffic lights to be installed as part of the high school project. As part of that meeting Buchart-Horn made a presentation which generated a number of questions to which they were given the charge to return to the Board with answers to some of the outstanding issues. Following that meeting Mr. Holman and Attorney Hovis discussed those items and narrowed them down to three. That resulted in his office generating a letter dated April 22, 2005 which addressed those three outstanding issues. The issues were identified as (1) the right turning movement onto Sherman Street, (2) the construction time line for the permit traffic improvements, and (3) the construction time line for the temporary traffic measures. After the April 22 letter was provided to the Township, a conference call had been held with representatives from Buchart-Horn, the Township and Rich Roman from PennDot to

discuss these issues and any questions that the Township had. Some additional information came from that meeting. Specifically, with respect to the right-turn movement onto Sherman Street, the Board was concerned about who would be responsible for the restoration of that lane in order to provide the three-lane configuration that was provided by Buchart-Horn. It was stated in a letter to the Township that if PennDot would not do that work, the District would step forward and take responsibility for those improvements. Since then Rich Roman has confirmed that PennDot will take responsibility for the restoration of that lane; therefore, providing for that configuration. As a result, that is a PennDot project that is out of the School District's control, but they have committed to do that.

**HOLMAN**

Mr. Holman added to those comments that a site visit with PennDot will be held within the next two weeks. Rich Roman had committed to that.

**HOVIS**

Attorney Hovis stated that a tentative date may have been scheduled. The second issue was the construction time line for the permitted improvements. Within a letter the School District had provided a breakdown of the time line for those improvements as part of the PennDot conference call. Rich Roman did indicate that he had reviewed that and was comfortable with the proposed time frame. The final issue was the temporary traffic improvement time line. PennDot and Rich Roman did confirm that they had reviewed and agreed with the time line. The one issue that was raised during that conference call was that Rich Roman, on behalf of PennDot, had indicated that they did not think the truck traffic detour could be implemented as part of this temporary signal project. He was taking the position on behalf of PennDot that this is not an active construction zone and, therefore, they were not going to permit the implementation of a truck detour during that period of time. Unfortunately, that is ultimately a PennDot call over which the School District would have no control. Mr. Roman did provide a suggestion to the Township that, if they have concerns about the truck traffic going over Mt. Zion Road, to make a request to PennDot to review and do a study and they would take that request under consideration. He said they've done that on behalf of other municipalities that have made similar requests. That is something that could be considered at some point in time if necessary. Those are the outstanding issues that were considered to be at issue or at least presented by the Township. The District has made a good faith attempt to provide as much information possible to make sure the Township is comfortable with the presentation provided on April 14<sup>th</sup>. The next step at this point is to have the Township consider a Resolution dealing with the ultimate implementation of those traffic lights. Attorney Hovis had provided a copy of that Resolution to Mr. Holman. He understood it would be considered by the Board. He asked for questions.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

- HOLMAN** Mr. Holman indicated that, based on the discussions with PennDot, he had spoken with Mr. Luciani and a letter was being drafted on behalf of the Board requesting that PennDot come and do a study on the detour route.
- BOWMAN** Mr. Bowman asked how long it would take for them to get a study completed.
- HOLMAN** Mr. Holman responded he would have to work with PennDot on that. They said that they would try and expedite it and they will look at all the information that has been developed to date as well. There has been a lot of information on this, but he wanted them to actually come out and take a fresh look at it as opposed to just looking at the data that has been created over the past two or three years.
- SCHENCK** Chairman Schenck asked whether the Township would have to make that application.
- LUCIANI** Mr. Luciani stated that the municipality must be the only applicant for signals even though it is a PennDot road.
- HOLMAN** Mr. Holman stated that Rich Roman had committed to walk this through.
- HOVIS** Attorney Hovis stated that the language within the Resolution with respect to the last two paragraphs is language that came directly from the permit and what PennDot is looking for in the Resolution.
- RAUSCH** Solicitor Rausch asked whether the permit was for both temporary and permanent lights/traffic signals, or just for the temporary signals.
- HOVIS** Attorney Hovis responded that his understanding was that it was just for the temporary lights. He added that they would not have any issue if there were suggested amendments to clarify it was for the temporary signals.
- LUCIANI** Mr. Luciani commented that it is a boiler plate Resolution. When the signal goes in, it's just their opinion that in a short time period there will be a permanent signal, and as the roadway improvements go in, these signals will be eliminated and phased out.
- RAUSCH** Solicitor Rausch noted that the permit signal will require a separate application.
- HOVIS** Attorney Hovis responded that it would be for a different and separate application.
- SCHENCK** Chairman Schenck expressed his disappointment concerning the truck detour. He noted it was not the School District's problem, but he could

not understand that PennDot would not recognize that as part of the reason for the temporary signals, which were there for safety.

**HOLMAN** Mr. Holman indicated it had been strongly emphasized to PennDot that that would be an issue for the Board. It's not a minor issue.

**LUCIANI** Mr. Luciani noted that their concern was setting a precedent because it's really not under construction, and the fear would be that if these are temporary signals and this detour isn't warranted that the Department would be saying okay, the road is not even under construction but a detour is being supplied. Any time trucks are banned from a certain area the truck lobby is very strong and they look for road closures. Barry Hoffman and the Department had concerns about that. They still kept it open as trucks are a real hazard on Mt. Zion Road.

**SCHENCK** Chairman Schenck asked whether the request for that study would be a way to push it up in the organization.

**HOLMAN** Mr. Holman responded that he was correct. He and Mr. Luciani are drafting a letter that will strongly emphasize the Board's concern.

**DVORYAK** Mr. Dvoryak suggested to get Representative Gillespie involved in that process.

**LUCIANI** Mr. Luciani agreed and suggested to include Tony Surtasky. In addition, there is some accident history that could be evaluated.

**HOLMAN** Mr. Holman indicated that the whole idea with the ultimate intersection was to facilitate trucks from coming up to a traffic light. A traffic light on a road that is known to be dangerous and causing them to have to stop is just asking for trouble. Their word to the Township was that there was a stop sign now, and a traffic light will make it safer. The letter will be drafted and copied to the state representatives for their help on these projects. He indicated that if action could be taken on the Resolution then they can move forward with the permit. There is a time frame for the permitting process even with walking it through PennDot, and the goal is to have these up and running prior to the school starting.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-40 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Reschedule Road Tour**

**SCHENCK** Chairman Schenck stated that because of some previous commitments, the Board was unable to complete the previously scheduled Road Tour.

**Consensus of the Board was to re-schedule the Road Tour for Thursday, May 5, 2005 at 3 p.m.**

**15. NEW BUSINESS:**

**A. Approval of Two Job Descriptions: 1) Administrative Clerk and 2) Public Works/Recreation Clerk**

**HOLMAN** Mr. Holman stated that he had provided a third Job Description, which was the Staff Accountant position.

**DVORYAK** Mr. Dvoryak asked whether the two clerical positions had been approved as part of the budget process and whether the Staff Accountant was an existing position.

**HOLMAN** Mr. Holman responded that they are being updated as far as duties, knowledge, skills, abilities and physical demands.

**MR. BISHOP MOVED TO APPROVE THE THREE JOB DESCRIPTIONS, ADMINISTRATIVE CLERK, PUBLIC WORKS/RECREATION CLERK, AND STAFF ACCOUNTANT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Appeal of Sewage Enforcement Officer's Interpretation by Robert Weikert, 827 Locust Grove Road.**

**BAUGH** Mr. Baugh stated that Mr. Robert Weikert of 827 Locust Grove Road, appealed the interpretation of the Sewage Enforcement Officer. In order to issue a permit for work on an on-lot sewage system, that system must come into conformance with current Department of Environmental Protection requirements. An application for the work has not yet been submitted. Mr. Weikert requested that the interpretation be considered prior to submitting the application. Mr. Baugh explained that the procedure would be for the applicant to present his appeal, the SEO to present his reasons for his interpretation, and for the Board to ask questions and make a decision.

**WEIKERT** Mr. Weikert stated that the Sewage Enforcement Officer had inspected his septic system. At the SEO's direction Mr. Weikert had changed the 8-inch hole from the septic tank to a 24-inch hole at the direction of the SEO. He has had no problems with the 1,000 gallon septic tank and has it pumped on a regular basis. There are only two persons in his household. Following that, the SEO returned to the property to inspect and stated that he would have to repair the baffles and adjust the entire septic system to a two-compartment tank to comply with current standards, which would

require a permit. He asked that the Board consider his appeal to not have to install an additional compartment.

**HENGST** Mr. Hengst stated that he saw no problem with the absorption areas of Mr. Weikert's septic tank. He needed to repair only the baffles. Mr. Hengst provided his responses to Mr. Weikert's appeal. His main focus for his recommended decision came from the Pennsylvania Program Administration guidelines, copies of which he provided to the Board. Where changes require that baffles be repaired, a permit is necessary and an additional compartment added in order to be compliant with the Code. Mr. Hengst stated that the addition of a compartment would provide a very efficient and longer life to the septic system.

**SCHENCK** Chairman Schenck, following a lengthy discussion, stated that the Board did not have to make a decision as there are 45 days to issue a written answer.

**HOLMAN** Mr. Holman added that he would like to review the Township's Ordinance with the Solicitor as it addressed this matter as well. The SEO would have to certify that the system meets Township and Pennsylvania standards.

**BISHOP** Mr. Bishop added that since the Board is required to provide a written decision, the drafting of that written decision will be the vehicle to help to determine that decision.

**Consensus was that the Board is bound by the Township Ordinance to have a written draft response within 45 days, which would be by the May 26<sup>th</sup> meeting.**

**RAUSCH** Solicitor Rausch reminded the Board that they are being asked to provide an advisory opinion. No permit has been denied.

**HOLMAN** Mr. Holman added that it is not formal in accordance with the Ordinance, which states a permit must be denied and then an appeal can be made.

**WEIKERT** Mr. Weikert indicated he would like to get it resolved because the area is uncovered in his front yard.

**SCHENCK** Chairman Schenck stated that it could be two weeks or at worst, a month.

**HOLMAN** Mr. Holman reminded the Board that action was needed for authorization to sign and submit the application for funding by the Authority.

**MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO SIGN AND SUBMIT THE APPLICATION FOR FUNDING ON BEHALF OF THE MUNICIPAL AUTHORITY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 28, 2005  
APPROVED**

**C. Acknowledge Receipt of March 31, 2005 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE MARCH 31, 2005  
TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**16. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:30 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 14, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 14, 2005 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  
George Dvoryak

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

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:05 p.m. He apologized for a slightly late start as there was an earlier Public Meeting, a presentation review of some potential park upgrades.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck asked Mr. Gurreri to lead the Opening Ceremony.

**GURRERI** Mr. Gurreri stated that Pastor Gary Sowers of Grace United Methodist Church, Windsor would provide an opening prayer.

**SOWERS** Pastor Sowers led the opening prayer.

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

**B. Presentation to Board – Scott R. Little, Fire Fighter**

**SCHENCK** Chairman Schenck stated that one of the Springettsbury Township Firefighters, Scott R. Little, recently had served in the Marine Corps in Iraq and had returned home.

**STERN** Mr. Stern introduced Mr. Little, who had been called to Iraq shortly after joining Springettsbury Township. When his Marine Unit was called, he determined to serve the country with honor and come home and serve the Township with honor. Mr. Stern thanked and commended him for his service.

**SCHENCK** Chairman Schenck presented Mr. Little with a Certificate of Appreciation from the Township.

**STERN** Mr. Stern added that on the Certificate of Appreciate an emblem appeared which is a Commendation Bar award for his military service. The Commendation Bar was the first to be granted to a Fire Fighter in Springettsbury Township.

**LITTLE** Mr. Little presented the Township with an American flag, which had flown in Iraq on 9/11 in honor of the Township and, in addition, recognition from the Department of Defense honoring the Township.

**SCHENCK** Chairman Schenck thanked him and indicated the award recognized the Township as a patriotic employer.

**C. Loyalty Oath – David A. Kennedy, Jr., Police Officer**

**ESHBACH** Chief Eshbach introduced David A. Kennedy, Jr., a new Police Officer in Springettsbury Township, and provided background information regarding his education and training.

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

**ESHBACH** Chief Eshbach presented Mr. Kennedy with his official Springettsbury Township Identification and Badge.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

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

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for public comment and asked that individuals use the microphone and state names and address for the record.

**Use of Tree Farm Land**

- ARVIN** Mr. Richard Arvin, 2141 North Sherman Street, asked where the driveway leads across from the sewer plant.
- SCHENCK** Chairman Schenck responded that an emergency access drive had been created to serve the new Central High School. The only time it will be used is during an emergency.
- ARVIN** Mr. Arvin asked about the trees in the area of the sewer plant. He suggested to get rid of the trees and farm the land. He thought it was a lot of wasted land.
- SCHENCK** Chairman Schenck responded that a review is being made of the options for better use for that land.
- HOLMAN** Mr. Holman added that recently he had met with the EPA representatives. He reported that the land in question was under an easement with the federal government, which provided the money to obtain the land. The Township farms and harvests the trees. He will be meeting with the EPA representatives again within the next several weeks to review alternative ways to utilize the land. Under the grant from which the funding was received, a deed restriction exists which indicates the land must be used for tree harvesting and not for any other purpose.
- ARVIN** **Harley Traffic Noise**  
Mr. Arvin noted that his residence is along Sherman Street right above where Harley's drive comes out. He asked whether anything could be done about the noise and the speed.
- SCHENCK** Chairman Schenck stated that his complaint, which was repeatedly reported, would be passed along to the Police Department.
- SURTASKY** **Mt. Zion, Deininger Road**  
Mr. Tony Surtasky, 2245 Mt. Zion Road, thanked the Township for publicly recognizing Scott Little for his service to the country. It was well deserving for him and was brought out at an appropriate time. Mr. Surtasky stated that he had received a letter on April 13, 2005 from the state indicating that more surveying would be done at Mt. Zion and Deininger Road. He asked what information the Township could provide about that survey work.
- HOLMAN** Mr. Holman responded that he and several other Township officials attended a meeting of the York County Municipal Planning Organization. He had questioned the activity at Mt. Zion and Deininger Road. It had been funded for construction in 2006. During that meeting they learned that it had been awarded to a

consultant. Mr. Holman requested the preliminary plans, since neither he nor the Board had seen them. Mr. Luciani and he will be following up to secure those plans. The only information he currently had available was what the MPO provided; however, more information is needed.

**SURTASKY** Mr. Surtasky noted that he was aware of the plan for the north side of the road, but on the south side he had no knowledge of plans.

**Central High School – Intersections, Traffic Lights**

**SURTASKY** Mr. Surtasky asked for an update on the school and the new intersections and traffic lights.

**SCHENCK** Chairman Schenck responded that later on the Agenda the School District will present what will be done in that area.

**Pedestrian Street Lights**

**SURTASKY** Mr. Surtasky noted an item on street lights at the corner of Williams and Pleasant Valley Road on the northeast corner of the park. It's a dead intersection with no lighting on the parkway. During concerts there are a large number of pedestrians from the apartments. He asked for some street lights.

**SCHENCK** Chairman Schenck responded that they would review it, and it didn't seem like a difficult project.

**Memory Lane and Whiteford Traffic Patterns**

**SURTASKY** Mr. Surtasky indicated about two years ago he brought up the question of traffic at old Memory Lane and Whiteford. When the new road was built, that was to be closed off, but some of the businesses there objected. It had been suggested to restrict traffic going east on Whiteford to not make a left turn, and coming out there would be a right turn only. He stated nothing had been done.

**Speed – Haines Acres**

**PICHLER** Mr. Matt Pichler, 2485 Crystal Lane, stated that he had attended three previous meetings with traffic concerns in the area of his residence on the corner of Crystal and Sundale in Haines Acres. The Township representatives had visited him at his residence; however, nothing had taken place. He cited several examples of excessive speed. He typed a letter and obtained 20 signatures within his neighborhood from residents who believe the speed is excessive on that road. All they are asking for speed humps or a stop sign. He provided additional concerns for school areas, etc.

**SCHENCK** Chairman Schenck indicated his concerns would be passed along to the Manager and also the Police Chief.

**PICHLER** Mr. Pichler asked if someone from the Township would respond back to him about his concerns.

**HOLMAN** Mr. Holman stated that his notes indicated he had sent a letter; however, he would go back and check on it. He had discussed it with the Police Chief and others about that. A number of requests had been received concerning speed humps and Mr. Luciani and he are attempting to find phase requirements for the Board's review.

**ARVIN** **Deininger Road – Water Runoff**  
Mr. Arvin stated that his sister lives at 2358 Deininger Road on the corner. The way the water is pitched, it goes directly into her house.

**SCHENCK** Chairman Schenck responded that the engineer will review it.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported that bids were opened on the Eden Road Interceptor project. Two bids were received; low bid was from Doli Construction Corporation, Chalfont, PA. Base bid was \$527,324. and included the Eden Road Interceptor and the repair off of Tulip Tree Lane. The other bid was Highland Contractors, York, PA at \$733,048. Both bids will be reviewed and references checked.

Grant Administration work was finalized and submitted to the Corps of Engineers. The grant project began with the diversion pump station and poured over into the centrifuge project and the bar screen project, which provided great results.

A decision was made to shut down the BNR Study as all the data needed had been provided. All the equipment will be removed and a final report will be prepared.

The final Tapping Fees report will be due in May, which will provide the Board with a month for review. Action should be taken in June with the new laws for tapping fees in force in July. This was reviewed by Mr. Hadge and Solicitor Rausch. They are reviewing reservation fees as well.

Barwood Road sewer project is moving along with some aerial photography and survey work. They are doing some court house investigation concerning rights-of-way.

**HOLMAN**

Mr. Holman indicated that Mr. Schober will be making a presentation to the Board during the first meeting in May for an update on the study for the 50 year improvement sewer project program

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

**LUCIANI**

Mr. Luciani reported that Mr. Holman and Solicitor Rausch are attempting to resolve all the issues with Norfolk Southern. Mr. Luciani had spoken with Norfolk Southern's engineering group, and plans will be provided to them. All the issues are close to being resolved. Hopefully PUC will agree and the project can move forward.

Mr. Luciani noted that a copy of a 1987 version of Township traffic issues had been found and was provided to Kise, Straw, and Kolodner. He had reviewed the report and was pleased to see that many of the projects mentioned had been implemented.

Mr. Luciani commented concerning Pleasant Valley and Mt. Zion Road. He noted that the traffic study provided had been done in 2003. The overall intersection works at a C, D level of service with a primary failure at Pleasant Valley and Mt. Zion coming down the hill to make a left into York Tech. One recommendation for a short term solution would be signal timing changes. The system is connected or looped with a string of signals to Market Street with an approximate 120 second cycle, which could be reduced to alleviate some of the congestion. He offered to review that if the Board thought it would be worthwhile. He did not think it would be very costly.

Mr. Luciani indicated that a year ago there was discussion about Mt. Zion and Whiteford Road. A contribution was received from the bank and Rutter's, and that signal was to be tightened in order to change the stop bars and eliminate wide turns to improve traffic safety at that intersection.

Mr. Luciani mentioned the Central High School temporary signal presentation scheduled to be made later on the Agenda. The long-term project had been somewhat delayed. He had reviewed the project.

Mr. Luciani mentioned the PSATS Conference during which Springettsbury Township will receive a First Runner Up in the state award for the Traffic Calming Project at Eastern Boulevard and Market Street.

**GURRERI** Mr. Gurreri noted that Mr. Luciani had been responsible for that submittal. He congratulated him on a good job.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 14, 2005.**

**MR. DVORYAK MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED IN THE LISTING OF APRIL 14, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Purchase Dump Truck for Public Works Department in an amount not to exceed \$80,000.**

**HOLMAN** Mr. Holman stated that the item was in the Capital Budget and had been funded, and the amount was under the budgeted amount.

**MR. GURRERI MOVED TO AUTHORIZE TO PURCHASE A DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$80,000. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck noted that it is through a Joint Purchasing Agreement so it saves the bidding process cost and also enables the Township to obtain the most competitive price.

**GURRERI** Mr. Gurreri added that the cost came in under budget at \$77,150.

**B. Authorization to Purchase Bioxide from U. S. Filter in the amount of \$48,960 (Purchase Requisition No. 05000015).**

**SCHENCK** Chairman Schenck indicated item B. was for a chemical for the sewer plant.

**HOLMAN** Mr. Holman stated that the bioxide is used by one of the machines for the repair maintenance of the sewer lines. It's a proprietary product and covers the annual supply.

**HODGKINSON** Mr. Hodgkinson stated that the price had gone up. The product is used to keep the sewer line from rotting away in the Meadowlands Pump Station.

**MR. GURRERI MOVED TO AUTHORIZE THE PURCHASE OF BIOXIDE FROM U.S. FILTER IN THE AMOUNT OF \$48,960. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented that U. S. Filter put the equipment in originally. It might be worth looking at another alternative in order not to be tied to a single source if another exists.

**C. Authorization to Advertise for Sealed Bids for Road Materials**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE FOR A SEALED BID FOR ROAD MATERIALS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were no items for discussion.

**8. COMMUNICATION FROM SUPERVISORS:**

**EMS Reporting**

**BISHOP** Mr. Bishop had a question and/or concern about the status of the Emergency Medical Service operation. The Board had previously received reports concerning the ability to respond to calls. He did not recall having seen that information for some time, nor had it been discussed during the budget process. He would like to see some type of mechanism put into place to keep the Board members informed.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop's comment and request for a status report.

**HOLMAN** Mr. Holman asked what type of information the Board had previously received. He indicated he would be glad to develop a simple and meaningful report.

**Penn Oaks Park**

**BISHOP** Mr. Bishop reported that an excellent presentation had been provided on Penn Oaks Park. He would like to see the project moved forward expeditiously.

**HOLMAN** Mr. Holman stated that a grant application had been submitted last year regarding the legislative process for the HUD VA program. It had not been approved; however, an application had been resubmitted. A meeting had been held with local representatives from the Department of Community and Natural Resources to review the parks program. One of the ones reviewed was Penn Oaks Park, and an application will be submitted in the fall of 2005.

**BISHOP** Mr. Bishop asked whether there was any sense for a level of support.

**HOLMAN** Mr. Holman responded that he would not anticipate the maximum grant level, which would probably be \$100,000 to \$200,000. He would not anticipate federal grants in the current climate; however, the state has a strong program.

**BISHOP** Mr. Bishop commented that the plan has a lot more opportunities for phasing than what has been explored so far. Having started the process may actually help to achieve funding for the remainder of the project.

**HOLMAN** Mr. Holman stated that it would be addressed.

**SCHENCK** Chairman Schenck reported that he had been asked to let everybody know that the Township is sponsoring a Community Blood Drive to be held Monday, May 23<sup>rd</sup>, from 11 a.m. to 4 p.m. at Commonwealth Fire Company, Station 17 on Sherman Street. Participants may call Teri Markley at the Township office.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that the only item he had was that the county had submitted a request for a hearing for the Methadone Treatment Facility for residential usage close to the Pleasant Valley site. There is a 30-day lead time and then a Public Hearing, followed by a period of two weeks before the Board actually would vote, and there is a time line. The county had requested that it be included on the Agenda so that the steps could begin to get the Hearing advertised.

**SCHENCK** Chairman Schenck noted that state law indicates that a hearing has to occur, but the Township must be the agency to hold the hearing.

**RAUSCH** Solicitor Rausch responded that the Board is to solicit comments from the public either in favor or in opposition of allowing a methadone clinic. At the next meeting, or at least 14 days after

that, the Board would vote whether or not to approve either an Occupancy Permit or a Certificate of Use. Once that action was taken, then they would file for land development.

**SCHENCK** Chairman Schenck asked whether the statute would permit the Board to make that level of a decision.

**RAUSCH** Solicitor Rausch responded that it would.

**SCHENCK** Chairman Schenck stated that it was a new procedure to him, as he did not think it was in the Board's scope of authority.

**RAUSCH** Solicitor Rausch responded that it would be the first in York County according to an Act 10 hearing.

**SCHENCK** Chairman Schenck noted that at least 30 days are needed, followed by a two-week waiting period.

**BISHOP** Mr. Bishop asked how soon the Board would have to take action.

**HOLMAN** Mr. Holman indicated that he had received a sketch plan this date.

**BISHOP** Mr. Bishop commented that, because the Board appeared to be blazing new trails, it did not seem appropriate to rush into taking action until the Board could reach a clear understanding of exactly what should be done.

**RAUSCH** Solicitor Rausch noted that the earliest that the Board could act on it would be the second week of June.

**SCHENCK** Chairman Schenck stated that he would not want to have a hearing on something about which he did not clearly understand and what the Board's jurisdiction would be in the matter.

**BISHOP** Mr. Bishop agreed 100% and added that if it's a public hearing and the public doesn't understand that this Board had never done anything like this before, it was all the more important to make sure that everyone understands the entire process and why.

**RAUSCH** Solicitor Rausch noted that a memo would be written itemizing what should be done.

**HOLMAN** Mr. Holman added that a more detailed presentation on the requirements would be made at the next meeting.

**SCHENCK** Chairman Schenck commented that the hearing could be held, but the statute does not say what to do with the information. The advice is that the Board could either approve or deny the application. If there have been other cases like this in the state, there might be some useful information. This will probably be the first and the last in the county.

**10. MANAGER’S REPORT:**

**HOLMAN** Mr. Holman indicated he had submitted a regular report and a supplemental report. There was one item to bring out. A request had been received from the Lutheran organization with regard to their home in Springettsbury Township about making it tax exempt. Last year the Board followed the same policy that has been in effect that the church property itself would be exempt; however, businesses still stay under that specific requirement. He had checked with the tax collector and the treasurer. Nothing had changed in the state law, etc. with regard to that. Last year’s decision by the Board was to maintain the current status with no changes in the policy. He was not recommending any changes to the policy; however, he wanted to make the Board aware of this request in the event they would want it to change.

**Consensus was not to change the Board’s previous position.**

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

**A. Resolution No. 05-37 – Additional Street Lights at the Intersection of Stony Brook Drive and Silver Spur Drive, Stony Brook Drive and Valley Brook Drive, Stony Brook Drive and Eastgate Drive, and on Stony Brook Drive at the new entrance to the Stony Brook Elementary School.**

**MR. BISHOP MOVED TO APPROVE RESOLUTION 05-37 AS PRESENTED.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-38 – Accepting Offer of Dedication for Public Use  
Certain Real Estate Adjacent to Marion Road**

**HOLMAN** Mr. Holman stated that Resolution 05-38 encompassed the small triangle piece of land bought by the developer but allows a second access into Woodcrest Hills. It is open now, but the dedication will insure that it stays open.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-38, ACCEPTING  
THE OFFER OF DEDICATION FOR PUBLIC USE CERTAIN REAL ESTATE**

**ADJACENT TO MARION ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Agreement for Participation in the Central Westmoreland Council of Governments Vehicle Purchasing Program.**

**HOLMAN** Mr. Holman noted that as purchases are made through the cooperative purchasing programs, a Resolution must authorize the availability of those opportunities. Through reviewing the different cooperative state purchasing programs, different numbers are found which are advantageous opportunities.

**DVORYAK** Mr. Dvoryak asked whether it cost anything to participate in each program.

**HOLMAN** Mr. Holman responded that it usually was a nominal fee of about \$100, and that is calculated into the final cost of the vehicle.

**MR. BISHOP MOVED TO APPROVE THE AGREEMENT FOR PARTICIPATION IN THE CENTRAL WESTMORELAND COUNCIL OF GOVERNMENTS VEHICLE PURCHASING PROGRAM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – March 24, 2005**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING MARCH 24, 2005. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Temporary Traffic Light Proposal – Central York School District**

**SCHENCK** Chairman Schenck introduced a presentation to be made by the Central York School District concerning the temporary traffic plans for the bottom of Mt. Zion Hill. Part of that development included some enhancements to traffic controls in that area. They had some difficulty in getting some of those things done to coincide with the opening of the school. Part of their agreement with the Township some time ago was that, if they did run into any difficulties with that plan, they would do some temporary measures to buy time until the permanent solution could be put in place.

**ZURO**

Mr. Mike Zuro of Bucharthorn, Inc. Engineer for Central School District stated that he would provide an explanation of the plan for temporary signals proposed at Mt. Zion and Sherman Street and Mundis Mill and Sherman Street intersections.

Following is a summary of points from his Power Point presentation:

- Project had been delayed; however, PennDot now has a “letting” scheduled for total contract award.
- Originally scheduled for 12/04; now scheduled for 12/05.
- Project includes the relocation of the Sherman Street/Mt. Zion/Mundis Mill intersections with the permanent signals at those intersections, scheduled for December of 2005. School will be opening in September of 2005.
- Temporary signals at those two intersections until the construction is completed and the permanent signals can be put in. Signals operational by mid-August.
- Archaeological study nearly completed; field work finished.
- Land acquisition of rights-of-way nearly final.
- Permits needed prior to submittal to PennDot
- Advanced warning signals, barricades, flashers, stop bars will be placed to warn motorists of changes.
  
- Mt. Zion Road – Proposed upgrade (repair/new lane) of shoulder to right turn lane.
- Pre-emption signals available for emergency vehicles.
- New signals must be bagged for a week, then on flashers prior to full function.
- Level of service analysis provided showing most temporary signaling improved flow.
- Traffic on side streets (Sheridan) to avoid intersections.
- Traffic lights only two-phase, no turning arrows.
- Sherman Street northbound stacking at Mt. Zion; negative alternative - Glen Hollow.
- Student drivers – Estimated 350 drivers, 50% head east, 50% head west. Some 75 stay for after school activities.
  
- Mundis Mill/Sherman – Three head signal, LED to Township spec.
- Sight distance good – Glen Hollow/Mundis Mill
- Level of service improved.
- Truck traffic detour will begin August 2005 and continue through completion.
- Route 30 west to Black Bridge Road, Grimm, Locust

- Signs posted on Route 30 will direct truck detour east/west
- Police enforce detour; hefty fines; education process imperative.
- PennDot has reviewed plan; formal submission made following Resolution adoption.
- Operation and maintenance of temporary signals – cost of operation
- Time Line – Resolution Adoption by the Board on April 28, 2005; light to be bagged for two weeks; flasher.

**BISHOP**

Mr. Bishop asked for more detailed information prior to the Board's decision on April 28<sup>th</sup>.

**HOLMAN**

Mr. Holman responded that the known information included the presentation, plus the study and review done by staff regarding the truck detour and the right turn lane.

**BISHOP**

Mr. Bishop asked for a better understanding of the detail of the shoulder versus the right hand turn lane northbound on Mt. Zion. He asked for an explanation of the kind of construction and the length of time it will last.

**HOLMAN**

Mr. Holman responded that based on the discussion in the staff meeting, the roadway would have to be done to PennDot standards.

**HOVIS**

Attorney Steve Hovis, representing Central School District, responded that he understood the concerns. He asked whether the Board members could submit their concerns to Mr. Holman in order that the District could respond to them.

**BISHOP**

Mr. Bishop indicated he would like to see something in writing as to what the Board would be approving.

**HOLMAN**

Mr. Holman stated that it would include a more detailed description and confirmation of the right-hand turn lane, how it would be built, how many feet, how far back it will be to guarantee that that lane will be constructed and by whom. The pre-emptive devices are understood; lights to Township specification.

**BISHOP**

Mr. Bishop stated that he was not trying to generate a lot of work. However, if the Board needed to make a decision based on specific numbers, then all of the assumptions underneath those numbers need to be in place.

**HOLMAN**

Mr. Holman stated that the right turn lane is extremely important to make this temporary flow work effectively.

**BISHOP** Mr. Bishop added that another item he would like to determine was who pays the costs for maintenance.

**HOLMAN** Mr. Holman responded that they would work out those details over the next two weeks.

**HOVIS** Attorney Hovis noted that the maintenance during the temporary period pursuant to the agreement that Springettsbury Township and the District reached when the plan was approved obligates the District to maintain those costs. He offered to provide that.

**BISHOP** Mr. Bishop responded that, with his comment, the matter was resolved. He asked whether there would be a contingency plan for the roadway not to be completed on time. The whole premise of this situation from day one a number of years ago was that this Board must make sure that there are provisions for public safety.

**HOVIS** Attorney Hovis responded that Mr. Bishop was correct. He stated that the agreement that was originally agreed upon by the parties indicated that in the event that the alternate four was not constructed in time for August 2005, that temporary measures would be taken in order to provide for safety. And if, in fact, for some uncontrollable reason that continues for an additional three months the obligation is still in force to maintain and keep those temporary measures in order to protect the students and staff and others to make sure that is a safe intersection to be traveled. There is an obligation to maintain it.

**ZURO** Mr. Zuro added that it is a state road so whatever repair work is done at that shoulder/right lane, it will be approved by PennDot. It will have to be through the HOP process so it will be approved by PennDot and it will be to their standard.

**HOLMAN** Mr. Holman stated that for the next meeting a time line will be provided for the completion of the temporary intersections and that time line will include the completion of the permanent one.

**GURRERI** Mr. Gurreri asked about the truck traffic and whether there would be enough time to educate the truckers to stay off that road.

**ESHBACH** Chief Eshbach responded that he did not know if it would be enough time or not. They will do their best to do so. He added that there will be truckers that go up through in a truck after it had been there for nine months.

**GURRERI** Mr. Gurreri asked how many trucks go through that area in a day's time.

**ZURO** Mr. Zuro responded he did not think it was too many; less than a couple percent on that road in that area.

**SURTASKY** Mr. Surtasky added that there seemed to be a little less in the past six months. More dump trucks are using the road because of construction from the quarry, but the tractor-trailers have slowed down.

**SCHENCK** Chairman Schenck asked whether everyone had a direction.

**HOLMAN** Mr. Holman responded affirmatively.

**B. Adoption of Updates to the Springettsbury Township Employee Policies Manual**

**SCHENCK** Chairman Schenck asked whether all of Mr. Dvoryak's questions had been answered to his satisfaction.

**DVORYAK** Mr. Dvoryak indicated he had received all the answers, even though he did not agree with all of them.

**HOLMAN** Mr. Holman indicated that a lot of his questions related to some issues that are statutory or public related.

**GURRERI** Mr. Gurreri indicated he had not had an opportunity to review the material.

**SCHENCK** Chairman Schenck indicated he did not have a problem with holding action for two weeks.

**HOLMAN** Mr. Holman stated that he would have to reschedule some training of all non-union personnel on the manuals.

**GURRERI** Mr. Gurreri stated that the Board could go ahead and approve it and he could discuss it later.

**Consensus of the Board was to move forward and take action on the item.**

**MR. BISHOP MOVED TO ADOPT THE UPDATES TO THE SPRINGETTSBURY TOWNSHIP EMPLOYEE POLICY MANUAL. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED.**

**14. NEW BUSINESS:**

- A. Authorization to Advertise Ordinance for Transfer of Funds from District 1 to District 5 as Part of Funding for Springettsbury Park Phase II.**

**MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE AN ORDINANCE FOR TRANSFER OF FUNDS FROM DISTRICT 1 TO DISTRICT 5 AS PART OF FUNDING FOR SPRINGETTSBURY PARK PHASE II. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:01 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**APRIL 14, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, April 14, 2005 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, Vice Chairman  
Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO PRESENT:** John J. Holman, Township Manager  
David Wendel, Director of Recreation  
Joel Mayeski, Landscape Architect with Brinjac Engineering

The Board of Supervisors held a work session on the above date and time. The purpose of the work session was to review a presentation by Brinjac Engineering regarding proposed park improvements to Penn Oaks Park.

Chairman Schenck adjourned the meeting at 7:00 p.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 24, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 24, 2005 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  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

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

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck announced that Mr. Gurreri, who normally leads the Opening Ceremony, would not be present as he was out of town visiting with a new grandchild. Chairman Schenck led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. March 24, 2005 – 6:30 p.m.**

**1. Litigation: A. A. Myers  
Pasch v. Springettsbury Township**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held at 6:30 p.m. this date to discuss several personnel issues, the Concord Rail Crossing proceeding through the PUC, the A.A. Myers litigation and Pasch v. Springettsbury litigation.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck requested that citizens who speak would use the microphone and state their name and address for the record.

**STUHRE** Mr. Charles Stuhre of 3680 Trout Run Road commented on several items. Penn Waste had not picked up recyclables at 3580 Trout Run Road, which had a full basketful of recyclables sitting there for a period of two weeks. It's a standard square Springettsbury Township box. Mr. Stuhre discussed road repairs in his area. Last fall Hellam Township began reconstructing the Hellam Township Park at Trout Run Road and Range Road. They brought an estimated 50 to 100 40-ton truck loads of stone down Trout Run Road. Trout Run Road is a skim coat on top of an old dirt road and was never a fully, properly-constructed road. If they bring the asphalt trucks in the same way, there will be an additional problem. It can't take that kind of heavy traffic. The end result is that much road repair work will be needed as the road is still breaking up. He requested the Board work with Kinsley Construction and Hellam Township and get them to keep their big trucks off that road. Additionally, in front of his property a huge hole had formed at his mail box due to the mail carrier running over it. Huge chunks of asphalt broke away off the edge and were standing up in the air. The carrier couldn't get in. Mr. Stuhr removed slabs of asphalt a foot in diameter so that the mail carrier and he could get to the mail box. It just needs two front-end loaders full of stone to be put in there and packed down. It doesn't need asphalt to bring it back up because it's undermining the road.

**SCHENCK** Chairman Schenck stated he was certain that Mr. Holman would have Mr. Lauer look at that.

**STUHRE** Mr. Stuhre asked whether any progress had been made concerning the change he had requested to the traffic light at Mt. Zion and Pleasant Valley Road, in order that eastbound Pleasant Valley could get a left-turn arrow concurrent with the westbound Pleasant Valley Road to stop the long backups there.

**HOLMAN** Mr. Holman responded that the traffic count was still needed. He asked Mr. Luciani for some previous count reports.

**LUCIANI** Mr. Luciani responded that he had several previous reports available, one from York Technical, along with the Central High School's traffic report evaluating that intersection.

**HOLMAN** Mr. Holman added that an additional count should be done to determine the problems. The machines are back in working condition now. Mr. Holman stated he would have Mr. Lauer look into the matter.

**STUHRE** Mr. Stuhre indicated that he wanted to keep reminding the Board in order to keep the process moving.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported that the Eden Road Interceptor project had been advertised with a pre-bid conference scheduled for April 1. Bid opening will be April 14<sup>th</sup> and some preliminary results will be available for the Board meeting that evening. Work on the Grants Administration project will have a package going out the week of March 28<sup>th</sup>. Mr. Schober had been in contact with the Corps and EPA and they were made aware the grant application would be coming. The Administrator from the Corps of Engineers is retiring, and so they are anxious to complete his projects. Barwood Road Sewer project, the area had been marked for aerial photography and surveys are going on. He had some inquiries from residents wanting to know the status.

**SCHENCK** Chairman Schenck stated he was curious about the Bar Screen project and whether any problems had surfaced.

**SCHOBBER** Mr. Schober responded that a motor had been installed but which had not fixed the problem.

**HODGKINSON** Mr. Hodgkinson stated that it needed a new gear drive, which had not been received to date.

**SCHENCK** Chairman Schenck asked Mr. Hodgkinson whether he had the confidence they would be able to get it fixed correctly.

**HODGKINSON** Mr. Hodgkinson responded that they didn't want to spend a lot of money to replace everything but eventually they will complete the repairs.

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

**LUCIANI** Mr. Luciani reported he had submitted a brief written report. Much of their time had been spent with plan reviews and grant applications, etc. He reported that he, Mr. Holman and staff met with Central High School. Previous discussions had revealed that the road improvements were not going to be in place when the school opened. However, temporary signals would be in place. He had received their analysis of the temporary

signals, which will be discussed during an internal meeting in early April. He had talked with several Central officials, followed by a discussion with Mr. Holman, and suggested that they be prepared to walk the Board through the temporary signals in order to get bring them up to date. The intent is to open in September and the Township needed something to mitigate the safety concerns. He hoped that the item would be placed on the April 14<sup>th</sup> meeting Agenda.

**BISHOP** Mr. Bishop asked whether any report had been received from PennDot with their analysis of the temporary signals.

**LUCIANI** Mr. Luciani responded that it had been Central's consultant who had evaluated the cues, how far the cars will back up on Mt. Zion Road, and any delay. They provided that information. He wanted to make the Board aware of what the traffic congestion will be like as those temporary signals would be permitted by the Township, and application would be made for the signals by the Township.

**HOLMAN** Mr. Holman stated that Mr. Luciani and the staff have to review this as the information had just become available. It would be premature to bring to the Board at this time.

**HOLMAN** Mr. Holman stated that he and Mr. Luciani are getting a preliminary plan together for an update as to what is happening on Haines Road since the study and what remained to be done short and long-term.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of March 24, 2005**

**MR. DVORYAK MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MARCH 24, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Sealed Bids for Polymer – WWT**

**SCHENCK** Chairman Schenck indicated that Mr. Hodgkinson was asking for authorization to re-bid the polymer contract. The Township had been able to renew the contract at least one year over an original three year bid.

**DVORYAK** Mr. Dvoryak asked whether the proposal is for two years.

**HODGKINSON** Mr. Hodgkinson responded that the proposed contract would be from 6/1/05 through 2/08.

- DVORYAK** Mr. Dvoryak wondered whether it would be a wise time to lock in a contract with fuel prices at a record high, especially since this is a fuel-based product.
- HODGKINSON** Mr. Hodgkinson responded that it could go one way or another. He indicated this was a difficult performance trial and could take forever with each vendor. Out of all the Township contracts, this is the one he would like to have to renew the least. He had struggled with whether it would be only one year or two years.
- DVORYAK** Mr. Dvoryak asked whether he thought there would be fewer bidders.
- HODGKINSON** Mr. Hodgkinson responded that he was correct because bidders can't supply the product. There are a lot of industries that use the same chemicals and they concentrate on the industries and have moved away from municipalities. He thought there would be fewer bidders than they had previously, but there would be at least two or three.
- SCHENCK** Chairman Schenck commented that the contract could be for only a year, but then a bigger increase would be possible in the future.
- HODGKINSON** Mr. Hodgkinson responded that he could take it out to 2007, which would be for 2-1/2 years.
- HOLMAN** Mr. Holman suggested that there could be an additional two, one year renewals.
- BISHOP** Mr. Bishop asked whether there are options to renew the way it is presently set up.
- HODGKINSON** Mr. Hodgkinson responded that he was correct, there are options to renew now up to two years. The vendors had advised him that they have options to renew but allow for price escalation.
- BOWMAN** Mr. Bowman asked how bidders are contacted, and how many vendors are in the business.
- HODGKINSON** Mr. Hodgkinson responded that there are only three manufacturers of this chemical in the world. There are many companies that buy from all those companies. They usually get four or five interested vendors; six on some occasions. He didn't want to extend it too far out with a volatile market as it might scare vendors.
- DVORYAK** Mr. Dvoryak commented on the concern or risk that prices will be raised. Someone has to assume that risk. If the vendor assumed the risk, their pricing will be higher to reflect that future risk. He suggested to allow an

escalator based on future pricing. He understood the reason for locking in the pricing; however, because the price is so uncertain two years from now, he thought the vendors would build that into their price now due to that future risk.

**HOLMAN** Mr. Holman indicated that the vendor could opt to renew or not renew. They have an opt out clause.

**HODGKINSON** Mr. Hodgkinson stated that nothing could change in the contract other than extending it for one or two years.

**SCHENCK** Chairman Schenck suggested to have one or two alternative bids, one with an escalator clause.

**HODGKINSON** Mr. Hodgkinson responded that he would look into it and have Solicitor Rausch review it to see what language should be included.

**SCHENCK** Chairman Schenck stated that it was just a thought not a direction.

**HOLMAN** Mr. Holman indicated that they could prepare an escalator clause. If the Board would like an alternate with an escalator clause, it might be interesting to see what that does.

**SCHENCK** Chairman Schenck stated that this component and the performance of the plan are critical. If it doesn't work right it messes up the centrifuges and so it's not really a commodity, but you have to have the right product.

**HODGKINSON** Mr. Hodgkinson indicated with all the performance trials they have certain criteria or they can't bid.

**HOLMAN** Mr. Holman clarified for understanding that the Board suggested that the contract be bid as is with the addition of a change for an escalator clause to be added as an alternate.

**BISHOP** Mr. Bishop stated that he wanted to provide Mr. Hodgkinson with all the help he needed to get this in place. It is a big deal and the Board had been relatively flexible in the discussion. He had every confidence in Mr. Hodgkinson's ability to conclude the matter.

**SCHENCK** Chairman Schenck asked whether the Board would agree to give Mr. Hodgkinson the authorization to advertise with the Board's general direction.

**MR. BOWMAN MOVED FOR AUTHORIZATION TO ADVERTISE FOR SEALED BIDS FOR POLYMER-WWT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-04-23 – Corflex Time Extension to 5/30/05**

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF TIME EXTENSION FOR CORFLEX, SD-04-23 TO MAY 30, 2005. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-04-14 – York County Prison (Action)**

**BAUGH**

Mr. Baugh provided background information regarding the York County Prison Land Development Plan as documented in his March 17, 2005 memorandum. The site is currently utilized as a County Correctional Facility and Immigration and Naturalization Service Facilities. There are additional County-related buildings, facilities and services located within the property on the eastern half of the overall tract. The project site will be maintained as a County Correctional Facility, upon which various proposed building expansions and improvements will allow for increased capacity and quality of life services. Specifically, this project proposes the relocation of existing food service facilities into a new larger building. In addition, a 48 bed, low security dorm building expansion will be constructed. Other site improvements will include an unloading dock, improved service drive, enhanced storm water management facilities and outdoor recreation courtyard area. The Planning Commission had recommended approval of the plan with several waivers, modifications and conditioned, and staff had concurred with their recommendations. Most of the outstanding items have been addressed. Staff recommended approval with several waivers and modifications as documented in the March 17, 2005 memorandum.

Mr. Baugh provided photographs and drawings on the overhead screen showing the facility, both existing and proposed, and landscaping. He stated that the County Commissioners had been very cooperative and had recently approved the traffic improvement agreement.

**BISHOP**

Mr. Bishop asked for clarification on the resolution of the issue with the EDU's.

**BAUGH**

Mr. Baugh responded that a check had been received for the EDU's.

**SCHENCK**

Chairman Schenck asked about sidewalk on Concord.

**LUCIANI**

Mr. Luciani responded that the sidewalk was right at the western end of the prison.

**SCHENCK** Chairman Schenck indicated he had observed that there might be people on work release coming and going to the closest bus stop, which is across the street on Mt. Zion Road almost down in front of York Container. It seemed that a lot of that foot traffic is coming and going from the prison. He asked whether there was any consideration to bus traffic and appropriate bus stop access.

**KLINEDINST** Mr. John Klinedinst, of C. S. Davidson and Representative of York County Prison indicated that within the last six months the County had approved the location of a bus stop right along the frontage of Concord Road. That should already be in progress. He clarified that the piece of sidewalk to be installed has nothing to do with the work release facility. The work release entrance will be at the eastern end of the prison.

**SCHENCK** Chairman Schenck stated that his concern was where individuals would pick up the bus.

**KLINEDINST** Mr. Klinedinst stated that they will pick up the Rabbit Transit bus at the work release end. His understanding from the request from Rabbit Transit was that they wanted to put a bus shelter along Concord Road. They are doing the work, but they wanted approval to put it on the property. Once constructed, if an individual from the work release building wanted to get on a bus, they would have to walk out around the INS building out to Concord Road. He added that there would be no reason why Rabbit Transit couldn't come in and go around and pick people up and go back out. The road is designed for bus traffic.

**BISHOP** Mr. Bishop asked whether there was any phasing plan for this. His impression was that not everything would be done at once.

**KLINEDINST** Mr. Klinedinst stated that the project had been bid, the food service facility, the work release facility, the dormitory on the food service end for the kitchen workers. To answer the question about the EDU's, they had already purchased EDU's for the work release building but when kitchen workers were added there was a need to purchase more capacity. The Township received that check. Bids are in and the contracts have been awarded, and everything seen on this plan will be on one contract.

**BISHOP** Mr. Bishop asked about the Heindel Road plan and the difference in the waivers.

**LUCIANI** Mr. Luciani responded that the County's buildings, the annex, prison and all other vacant ground are all on one single tract. The ordinance requires any public road to meet Township standards. Heindel Road was one of those roads that would need to be brought up to Township standards. Because there is knowledge about the 911 center, the Manager and staff

developed an agreement to move forward with a connection to Davies Drive to the railroad tracks and to by-pass Heindel Road. As part of this plan, they will work toward a master plan and the need for public use of Heindel Road.

**SCHENCK** Chairman Schenck asked whether Heindel Road is a public road.

**KLINEDINST** Mr. Klinedinst provided some background information on Heindel Road. He stated that when Kinsley built the Meadowlands Commerce Park, Concord Road was built and picked up Heindel Road at the Township's pumping station. It swept up to the northeast and intercepted Heindel Road at that end. There was some discussion about the Township abandoning the piece of Heindel Road that was left behind. That road now is in the area of the Youth Development Center. There are other options for its use, and the Davies Drive connector from Concord Road to the south will provide a lot of those options.

**BISHOP** Mr. Bishop questioned the actual recommendation that the Board has for waivers.

**BAUGH** Mr. Baugh responded that they were asking for waivers on all of Heindel Road because it may be a changing location in the future and it really doesn't have that much of an affect on this plan; however, it is on the site but obviously not on this plan. Any private road has to be brought to Township standards. At this point it would be beneficial to do the widening and the curbs and sidewalks on Heindel Road.

**BISHOP** Mr. Bishop asked for clarification as to whether or not the plan would include the six month sidewalk note.

**BAUGH** Mr. Baugh responded that it would. If at a future date a sidewalk is needed there, a six month notice can be given for a sidewalk.

**KLINEDINST** Mr. Klinedinst noted that the six month note is on the Mylar.

**SCHENCK** Chairman Schenck asked whether any of the waivers within this plan would carry on to any future plans.

**RAUSCH** Solicitor Rausch responded that the waivers would apply only to this plan.

**BISHOP** Mr. Bishop asked about the number of trees.

**BAUGH** Mr. Baugh responded that in one of the areas where landscaping will be added is not actually a part of this plan, but it is on the property in front of the maintenance area. What will be seen from Concord Road will be enough trees and more will be added with future plans.

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT 04-14, YORK COUNTY PRISON, TO GRANT:**

- **WAIVER OF §304.1 PRELIMINARY PLAN;**
- **WAIVER OF §502.1.D PRIVATE STREETS FOR HEINDEL ROAD ONLY;**
- **WAIVER OF §407.1 CURBS FOR HEINDEL ROAD ONLY**
- **MODIFICATION OF §408.1 SIDEWALKS TO INCLUDE A SIX-MONTH NOTE ON THE PLAN EXCEPT SIDEWALK ALONG CONCORD ROAD ON THE WEST SIDE WILL BE INSTALLED AT THE TIME OF THE PROJECT;**
- **MODIFICATION OF §305.2.S SHOWING EXISTING STREETS WITHIN 400 FEET;**

**AND TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **SIGNATURES OF OWNERS, ENGINEER AND SURVEYOR;**
- **PROVIDING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop noted that at the Comprehensive Plan Committee meeting on Tuesday, they had been treated to an excellent presentation from the Township's Park and Rec Board. Excellent work had been done toward laying out their priorities for the future of the parks. It was a very well thought out document, and the entire Board might want to consider having that presentation made as it laid everything out very well.

**HOLMAN** Mr. Holman indicated it could be scheduled for a future meeting of the Board of Supervisors.

**Consensus of the Board was agreement to schedule the presentation at a future meeting.**

**SCHENCK** Chairman Schenck reported a complaint call he had received from Avalong Estates. Summer is coming and they're starting to use their rear decks, which overlook the maintenance facility. Specifically the complaint related to the abundance of junk cars parked there. Chairman Schenck looked over the situation and there are five cars there. The fact that they are there has to do with the Police Department, as the automobiles are impounded.

**HOLMAN** Mr. Holman responded that the cars had been involved in accidents and must be kept for a period of time as evidence until such time as they are cleared. He will discuss this with Mr. Lauer to see if something could be done.

**SCHENCK** Chairman Schenck questioned whether they must be impounded on Township property. There are private impounding yards that keep such

cars and the owner has to pay the cost. He did not think every Township impounded on site. There might be another way rather than Mr. Lauer having to move them. He thought it was a relatively new procedure.

**HOLMAN** Mr. Holman stated that he would look into the matter and find alternatives and options. He'll work with Charlie Lauer. He asked whether he should respond back to the residents at Avalong.

**SCHENCK** Chairman Schenck responded that he would provide the names to Mr. Holman for him to respond.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that the Civil Rights law suit filed by Tim Pasch had been dismissed by Federal court. However, Mr. Pasch filed an Appeal with the Third Circuit Court, which has a mandatory mediation program, in which the Township participated with the insurance company. A successful settlement had been reached in all litigation revolving around the denial of Hunters Crossing plan in 2001. The Township's contribution is \$80,000 and the insurance company's contribution is \$90,000. The only outstanding litigation remaining is the Friends of Camp Security appeal, which will not involve monetary contributions. Solicitor Rausch recommended that the Board authorize settlement and allow him to finalize a settlement agreement with all other parties to conclude all law suits involved.

**MR. BISHOP MOVED TO AUTHORIZE THE SOLICITOR TO SETTLE THE REMAINING VARIOUS LAW SUITS IN THE PASCH MATTER WITH THE TOWNSHIP IN THE AMOUNT OF \$80,000. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**RAUSCH** Solicitor Rausch reported that a settlement agreement had been reached with Norfolk Southern regarding the Concord Road application with the PUC. Norfolk Southern filed objections. The Township agreed to contribute \$7,500 towards their efforts to close another site. Norfolk Southern's policy is that when they approve or acquiesce to a rail crossing that another rail crossing somewhere else needs to be closed. The Township agreed to contribute \$5,000 towards the maintenance costs to close the Concord Road rail crossing. Norfolk Southern agreed to withdraw its objections to the Township's application to the PUC for the rail crossing for the proposed Concord Road. Solicitor Rausch stated that it was a fair settlement and will allow the Township to proceed for the Concord Road approval. He recommended approval of the settlement subject to preparing proper documentation.

- SCHENCK** Chairman Schenck questioned whether the process could still be blocked even though the Township had settled with Norfolk Southern.
- RAUSCH** Solicitor Rausch responded that it could be but generally would not unless some other entity would object.
- HOLMAN** Mr. Holman stated that if the \$7,500 rail crossing doesn't open, Norfolk Southern doesn't have to close another railroad crossing.
- RAUSCH** Solicitor Rausch added that it would be conditioned on the Township's approval.
- BISHOP** Mr. Bishop asked whether the \$5,000 for maintenance must be paid per year into perpetuity and whether the Township pays that on other rail crossings anywhere.
- HOLMAN** Mr. Holman responded that the \$5,000 would be paid for the life of the rail crossing. The process is one that the rail companies started about 10 years ago. It is the maximum of 3% or whatever the cost of living increase is each year.
- RAUSCH** Solicitor Rausch added that the anticipation is that through some of the future development going on at that site contributions will be made by the developers to help with that since that road is there.
- HOLMAN** Mr. Holman added that it saves the Township from having to maintain the railroad crossing. Norfolk Southern takes full responsibility for that rail crossing.
- LUCIANI** Mr. Luciani stated that the crossing will be a concrete crossing and should be much less maintenance. The biggest issue will be the electrical work on the gates and if the gates malfunction it would be their responsibility to repair the malfunctions.

**MR. BISHOP MOVED TO AUTHORIZE SETTLEMENT WITH NORFOLK SOUTHERN FOR THE CONCORD ROAD RAILROAD CROSSING AND AUTHORIZE PAYMENT OF \$7,500 TOWARD THE COST OF THE CLOSING OF THE FUTURE RAIL CROSSING AND \$5,000 PER YEAR PLUS INCREASE FOR THE CPI FOR MAINTENANCE OF THE RAILROAD CROSSING. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

- HOLMAN** Mr. Holman had provided a written and supplemental report. In addition, he reported that Mr. Scott Little had requested to make a presentation at the April 14<sup>th</sup> meeting to bring the Board up to date on his activities

overseas in Iraq. Mr. Holman responded to him, on behalf of the Board, that the Township looked forward to his presentation. During that meeting Mr. Holman would like to present him with the Armed Forces Citation.

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

There were no Ordinances, Resolutions and Agreements for discussion.

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – March 10, 2005.**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES FROM THE BOARD OF SUPERVISORS MEETING MARCH 10, 2005 AS SUBMITTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. National Geomatica (GIS) Presentation and Contract Review**

**HOLMAN** Mr. Holman stated that six months ago information had been provided to the Board on National Geomatica. A presentation had been made to the Comprehensive Plan and the Planning Commission. Work had continued to come up with a contract and a way to make this work for the Township to save a cost increase for computers to upgrade the GIS system and at the same time to maintain and control the data. He introduced the National Geomatica Representative John Rimmer and asked Andy Hinkle of MIS to make the presentation.

**HINKLE** Mr. Hinkle stated that Mr. Rimmer would provide a brief presentation and information as to what the software could do for the Township.

**RIMMER** Mr. Rimmer provided a brief presentation on the overhead showing how the GIS system would work. An overview of the points is summarized:

- National Geomatica is a GIS data management system via the Internet, which began two years ago. Parent company is Jungle Lasers since 1997.
- They cover nine states in the northeast, several municipalities in Pennsylvania.
- Purpose is to keep all GIS data current for municipalities.
- Township would provide documentation electronically.
- No maintenance fees; no hardware purchase.
- Public can access the information, which includes streets, lots, owners, assessment, building applications, garbage pickup, school, voting and zoning districts.

- Can be customized to answer any questions the Township wants included.
- Use existing tax map and create digitized parcel map; use latest aerial shot, zoning and tax data, scanned image.
- All departments could supply information including zoning, building, building permits, licensing.
- Could monitor/track all violations and complaints via the site.
- Wells, septic systems, street opening permits, etc. street access, fire hydrants, street signs, shade trees, when inspected, zoning data, setbacks would be documented.
- Site can be updated by them or by the Township. Training will be provided.
- Have option to leave the process and all Township data comes back to the Township. Data is not shared or sold.

**HOLMAN**

Mr. Holman stated that there are a number of plus points in that the computer system does not have to be upgraded, no additional licenses need to be purchased. Certain items would be public information. This would be paid for through permit fees and planning fees. The charges would be an additional \$10.00 for any permit, \$50.00 for Planning Commission fees, and \$25.00 for Zoning Hearing Board applications. They will load the existing data that is available, as well as everything that can be brought over from Buchart-Horn electronically, plus what Mr. Luciani has available electronically on the roads. The idea would be to get the sewer, zoning and tax maps on line first, and then start expanding to the Police Department, Fire Department, Recreation Department. Mr. Holman wanted the Board to see the presentation, as well as the contract for review. He was not asking for action.

**SCHENCK**

Chairman Schenck commented that other than the building permits, zoning board applications, those things for which fees are charged, once it would be set up he asked whether the Township would have to pay to add items.

**RIMMER**

Mr. Rimmer responded that the process begins with the parcel map and the assessor data. Anything the Township has electronically will be loaded no charge. Because they are not an engineering company, they cannot go out and find where the assets are; however, if the Township provides the data, they will load it. The data is more than just maps; it's parcel data changing day to day.

**SCHENCK**

Chairman Schenck noted that this is not being done now due to staffing. It sounds like a wonderful system but only if the Township provides the data for it.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 24, 2005  
APPROVED**

- HOLMAN** Mr. Holman stated that, for example, if a building permit is issued, the Township faxes them the building permit and they OCR that and automatically updates the system.
- SCHENCK** Chairman Schenck asked whether this could be done with the current GIS system.
- HOLMAN** Mr. Holman responded that the entire process must be entered in the one GIS computer in Mr. Hodgkinson's department. There are no additional licenses beyond that. He was certain it was not up to date. Keeping the information up to date is the biggest problem with municipalities.
- RIMMER** Mr. Rimmer explained the process, which would begin with faxing them information. He provided information as to how their software worked to process the information into HTML format followed by an operator who reviews the information. The information is backed up in two separate locations, secure and password protected. All data is confidential.
- SCHENCK** Chairman Schenck asked whether anyone in this area is using the system.
- RIMMER** Mr. Rimmer responded that they had recently branched out into Pennsylvania and has only a few locations, one near Pittsburgh and one in Sunbury. There are others in different northeastern states.
- BISHOP** Mr. Bishop noted that the agreement the Board has referred several times to the licensors operating policies. He asked whether a copy of that could be made available. It says that the Township must submit the information in a manner set forth in the licensors operating policies. He wanted to see the policy.
- DVORYAK** Mr. Dvoryak asked how much time would be involved staff-wise in learning to use the system for training. He asked whether it would be complicated to learn to use.
- RIMMER** Mr. Rimmer stated that it was very user friendly compared to other GIS systems. They will come and train the staff at no charge, all included. They also have Web-X training they could do.
- SCHENCK** Chairman Schenck commented that they could not guarantee the accuracy of the data because they are only documenting what the Township provides.
- BISHOP** Mr. Bishop noted that they do not guarantee that it will be there long as they can take it off any time they want.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 24, 2005  
APPROVED**

**HOLMAN** Mr. Holman responded that the Township could do the same, i.e., request the data right back.

**RIMMER** Mr. Rimmer responded that the data could be downloaded back to the Township weekly if that would be requested.

**BISHOP** Mr. Bishop noted one of the downsides is that the operation becomes dependent on this service and if they decide to discontinue the service, we get a CD of information.

**HOLMAN** Mr. Holman indicated that at that point the Township would pick up the costs they would pick up in any case and set up another GIS system and download the data back into it.

**HINKLE** Mr. Hinkle stated that as far as the staff is concerned in using the system each department would have its own forms to be filled out for building permits, sewer inspection, etc. It would be web based, and they are looking at the possibility of using palm pilots for the inspectors. It would be real time information.

**DVORYAK** Mr. Dvoryak commented that it appeared that the amount of time of the staff would actually be less by using the new system.

**HINKLE** Mr. Hinkle responded that it would be to a certain extent. The data is not currently being updated on a daily basis with the current GIS system. It's being done whenever they have the time to do that. This way it would be done daily by using the forms daily.

**HOLMAN** Mr. Holman indicated that the Township would have the ability to see overlay data for each parcel for sewer, setbacks, building improvements, fire hydrants, etc. Previously approved plans would be loaded and accessible for new developments.

**HINKLE** Mr. Hinkle added that with all the plans presented over the past few years, that data would be available electronically. Documentation could be attached to specific parcels.

**LUCIANI** Mr. Luciani asked what format the information would be stored in on the GIS.

**HINKLE** Mr. Hinkle responded it would be in PDF format.

**SCHENCK** Chairman Schenck noted that this is the first review for the Board and is a really big project. He asked for further review.

- HOLMAN** Mr. Holman indicated they had been working on it for eight months and looking at various options. They wanted to bring it to the Board with a draft contract to have the Board look at it and he was not looking for a decision. He stated that at the last director's meeting they wanted to get moving on it and get it done. He added that he'd like to include the Police Department records and Fire Department at some point.
- BISHOP** Mr. Bishop asked whether he had any contact with other municipalities.
- HOLMAN** Mr. Holman responded he had discussed it with the New Jersey municipalities because he knew some of the people. They had been very happy with the system because it works and stays updated.
- BISHOP** Mr. Bishop stated he was not convinced about the pricing model, which may need review and tweaking from time to time. To say that it doesn't cost anything except raising fees needed more thought.
- BISHOP** Mr. Bishop stated he wanted to see the licensors operating policies, and exactly what format that data is available back to us and how often.
- SCHENCK** Chairman Schenck wanted to know specifically where it's being used.
- HOLMAN** Mr. Holman stated that it is a good program and ties in with much of what is being done. If there are questions from the Board, please let him know and he will direct them to Mr. Hinkle. He indicated he would provide a list of the websites for review. Some had been provided in the Board packages as well. Certain aspects of the New Jersey sites are open to the public.

**B. Parks and Recreation Concessionaire Agreement and Application**

- SCHENCK** Chairman Schenck noted that considerable revisions had been made.
- HOLMAN** Mr. Holman stated that he and Solicitor Rausch had reviewed the agreement; the Solicitor made some revisions to address the Board's previous concerns. He asked Mr. Wendel if he had any further comments.
- WENDEL** Mr. Wendel stated that with the revisions there is a clear distinction between the Concession Stand and the Concessionaire Policy, as well as the non-profit status as clearly outlined in the Concession Stand Policy.
- HOLMAN** Mr. Holman added that Solicitor Rausch is comfortable with it from a legal point of view, and the insurance company had no problem with the documentation.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 24, 2005  
APPROVED**

**SCHENCK** Chairman Schenck commented that the verbiage that had been added said what it is, so he was assuming what it isn't doesn't fall under the policy, which is a good way to handle it.

**RAUSCH** Solicitor Rausch indicated that the policy is meant to address the current situation, and that is not to say that moving forward it can't be reviewed. This should serve the present needs.

**BISHOP** Mr. Bishop added that the policy could be changed if necessary.

**MR. BISHOP MOVED TO APPROVE THE CONCESSION STAND POLICY AND THE CONCESSIONAIRE AGREEMENT AND APPLICATION SET FORTH BY THE PARKS AND RECREATION DEPARTMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked Mr. Wendel for making the suggested revisions.

**HOLMAN** Mr. Holman asked Mr. Wendel to thank the Parks & Rec Committee for their work.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of February 28, 2005 Treasurer's Report**

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE FEBRUARY 28, 2005 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:37 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TRASH CONTRACT**

**MARCH 16, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, March 16, 2005 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Bill Greenewalt, Recycling Committee  
Jean Abrecht, Stenographer

**A. 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 focus on the trash contract.

**B. Pledge Of Allegiance:**

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

**C. Chairman Reviews Rules of the Meeting**

**SCHENCK** Chairman Schenck stated that the process had begun in response to general public comment about the trash program in the Township. A contract is in place through calendar year 2005. The current contract allows for two more years of extensions under the terms of the current contract as long as both parties agree. Because those are extensions, the Township has the option this year to draft a new type of program, have that bid and in place at the beginning of 2006. The primary focus for this meeting was to get public input. He called attention to the Meeting Rules attached to the Agenda. He asked that each resident state their name and address for the record. In addition, he asked that each individual keep their comments brief and to the point. There will be a three-minute limit on comments.

**D. PRESENTATION: Escalating Cost of Trash and Recycling Collection**

**1. Penn Waste**

**SCHENCK** Chairman Schenck turned the meeting over to Ed Ward, Representative of Penn Waste, to provide a State of the Union presentation of the refuse collection business.

**WARD** Mr. Ward introduced himself and provided a Power Point presentation which focused on the escalating costs of trash and recycling collection. He cited some of the recent municipal contracts with increased

prices, disposal expenses, labor costs, hiring, recruitment and retention, wages and benefits, trash/recycle driver requirements, safety, training, truck maintenance and insurance costs, government regulations, municipal ordinances, and recycling costs.

**HOLMAN** Mr. Holman indicated that the presentation was to provide the Township, Board and the residents an idea of the costs involved with the trash collection.

**SCHENCK** Chairman Schenck asked where the costs of tipping fees would be shown. He asked whether that tipping fee would be 10% or 80% of Penn Waste's cost. He wondered what kind of direct result that would have to an overall cost if the rates would change.

**WARD** Mr. Ward responded that in round numbers it could go anywhere between 30% and 40% of their total cost. The result would be dramatic. He explained that they deal with the Solid Waste Authority in York County, which has a published rate of \$56.00 a ton, and which had not changed. An additional item that would drive that number would be by the bag limit set for the municipality.

**E. Comments From Board Members:**

**GURRERI** Mr. Gurreri noted that it was great to see so many people come to the meeting. The Board looked forward to hearing what the public had to say.

**SCHENCK** Chairman Schenck noted that one further option was available other than a mutually agreed upon extension, that being simply to have no contract at all. There are some new state regulations that make that option very difficult with some of the mandates regarding to dealing with recycling. The Recycling Committee had been involved in the early discussions, and they provided their position on the contract. They are generally in favor of how the recycling is being handled.

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, made several observations concerning trash in the community.

- Newspapers in brown paper bags only, no plastic bags.
- Recycles not in green bin, not picked up. No incentive to recycle.
- Large Item Pick Up – Weekly eyesore.
- Trash falling off trucks during pick ups.
- Price of trash collection – a good buy
- Service more important than price – be more flexible to the citizen

**SURTASKY** Tony Surtasky, 2245 Mt. Zion Road, indicated for the most part he had no complaint regarding the garbage pick up. His complaints had been resolved in the past either by the Township or Penn Waste. He had several comments/suggestions:

- Comparison of his small bags of weekly trash to neighbor's larger bags.
- Pay by the bag – it works in other municipalities.

- Consider adding trash bill into property taxes.
- Do what's best for the Township residents.
- Recycle money – Does it go to trash hauler or back to the Township.

- SCHENCK** Chairman Schenck responded to Mr. Surtasky's question about the recycle funds. He stated that directly it would go to the waste hauler. However, it is important to know that there is a state program that, based on the amount of material that the Township recycles, the Township receives a check from the state. The program could end at any time but is currently in effect.
- HOLMAN** Mr. Holman added that it was between \$89,000 and \$94,000 over the past year.
- GURRERI** Mr. Gurreri stated again that the money from recycling goes to the waste hauler.
- SCHENCK** Chairman Schenck responded that the waste hauler also incurs the cost of processing the recycling. It is difficult to determine a net gain or loss.
- PALMER** Mr. David Palmer, 2640 North Sheridan Road, indicated that he had been sued by Penn Waste, just like his mother had, unjustly. He provided proof of his concern in that he had never been billed. He questioned the integrity of management of Penn Waste as a result of the threats of attorney fees and costs. He discussed the tag-a-bag idea, which could be more fairly calculated.
- ROSER** Mr. Harold Roser, 1925 Woodstream Drive, stated he had lived at his residence for 40 plus years in what he thought is a terrific Township. He noted that many of the residents are retired, and for most of the time he, personally, only puts out one bag. He has pine trees on his property, and he wondered whether the red tags should be used for the pine tree waste. As he understood it he could put one on each of two garbage cans. He asked for a clarity in the procedure for yard waste, no leaves, nothing else other than trimmings from pine trees.
- HOLMAN** Mr. Holman responded that the waste from the pine tree could be broken down to brush. One vinyl sticker could be placed on each of two plastic trash cans. If he so desired, it could be bundled into another 10 bundles of the waste down the line because that's no longer going into the trash. In addition, he could put out six kraft bags all at one time as long as it is from his property because it is now a recycle item and not in the waste stream.
- SCHENCK** Chairman Schenck added that he could also get additional cans and have the red stickers on the additional cans, which would be fine as long as it is the pine tree trimmings and not any garbage.
- HOLMAN** Mr. Holman added that the red vinyl stickers are 50 cents each. Additional trash tags are \$2.75 per tag.
- ROSER** Mr. Roser indicated he paid \$38.82 for three bags per week, which averages out to about \$1.25 per bag.

- SCHENCK** Chairman Schenck stated it is a premium cost for an extra bag.
- ROSER** Mr. Roser noted that Mr. Ward spoke about the cost of the operation of the business. The trash contract will be over \$1 million, so with all the other municipalities, that should cover everything that it is designed to do in proportion. He liked paying for what he used, and the two tags help a lot.
- GURRERI** Mr. Gurreri asked him what would happen if, in the summer time he would put four bags out.
- ROSER** Mr. Roser responded that he never put four out. He stated that he has a property in Spring Garden Township, and he could put out eight bags each pick up and they pick up twice a week, so that he could potentially put out 16 bags each week. They charge \$4.00 more each quarter.
- MCCARTHY** Mr. Joe McCarthy, 2640 Kingston Road, stated that the gentleman put on a nice PowerPoint presentation. He did not buy the sad story about the fuel going up. Mr. Wagner always has a sad story about how much money he's losing, but next year he'll be in here fighting to get the contract again. If he is running a business and losing all this money, Mr. McCarthy could not understand why he would fight to get the contract again. He made several observations:
- Contract should be reviewed and re-written.
  - He does not recall seeing much large item trash around the Township.
  - An extra \$5 each quarter/\$20 a year isn't much unless you don't put out large items.
- SANDMEYER** Mr. Bob Sandmeyer, 2625 Kingston Road, stated he thought the trash hauler was doing a fairly good job for what the residents pay. He had only one complaint in that sometimes he only put one bag out, and during this season of the year, he was in the process of cleaning up the yard. He will be adding four or five bags out. He wanted to know if he could put out his bags without having pictures taken. It will be one bag of trash and the other three or four will be yard waste. He does not use cans, only bags.
- SCHENCK** Chairman Schenck responded that, unfortunately, as long as it is in a bag it is considered trash from the definition of how the waste hauler has to deal with it.
- SANDMEYER** Mr. Sandmeyer stated that it would not be garbage. It would be from the leaves and other yard residue that he is raking up now.
- HOLMAN** Mr. Holman stated that brush can go out in grocery paper bags or kraft bags; it can be bundled in four foot lengths.
- SANDMEYER** Mr. Sandmeyer noted that it is leaves and other yard residue.
- HOLMAN** Mr. Holman noted that leaves from trees go out with the leaf collection, which is different from brush. Some leaves will be in the brush.

- SANDMEYER** Mr. Sandmeyer indicated that if he had one bag of trash from the kitchen and three or four bags of trash from the yard, he would not be permitted to do that. He would have to put two out at a time.
- SCHENCK** Chairman Schenck responded that was the way the contract is worded now. He understood his complaint clearly, and he asked for a suggestion on how to fix that.
- GURRERI** Mr. Gurreri reminded Mr. Sandmeyer that he received two red tags in the mail.
- SANDMEYER** Mr. Sandmeyer responded that he had received them, but he has no place to stick them since he uses only bags. He noted that his recycles with the newspapers had not been picked up for the previous two Thursdays. He had watched the haulers in the past when items bounced out of the truck onto the road and sidewalk. He concluded that otherwise he thought they did a pretty good job.
- GREENEWALT** Mr. Bill Greenewalt, 2540 Schoolhouse Lane, stated that he is a member of the Recycling Committee. He wanted to make it clear that the comments he made are his own and do not reflect the Committee.
- Trash collection costs going up – not a surprise.
  - Residents on a fixed income – look for cost savings in the contract – make suggestions in the trash route to save fuel.
  - Competition with other haulers will keep the cost down.
  - Waste hauler should bid the increase based on actual costs with a right of audit.
  - Check on the gallon cans to be sure they comply with contract.
  - Be sure the ordinances line up with the contract.
- HOLMAN** Mr. Holman stated that he has a copy of the latest revision of the ordinance for the Recycling Committee. The copy of the ordinance is updated with brush, grass, leaves to reflect the current contract.
- RAUSCH** Solicitor Rausch noted with regard to the gallon container issue that he understood Mr. Greenewalt’s point. He added that he thought there was an issue of safety as well.
- HOLMAN** Mr. Holman indicated that OSHA regulations for lifting state no more than 50 lbs.
- GREENEWALT** Mr. Greenewalt agreed that they have to weigh less than 50 lbs., an item which is in the contract.
- ROSEN** Mr. Harold Rosen asked whether the red tags would be good all year.
- SCHENCK** Chairman Schenck stated that the material could be picked up April through November. He should keep the tags.

- ROUSE** James Rouse, 3693 Cimmaron Road, commented on the large item pick up. He liked the idea of weekly pick up and thought it was better than seeing it pile up around the house for a whole year.
- WEITKAMP** Ms. Beatrice Weitkamp, 2101 Pleasant View Drive, asked about the Recycling Grants and whether she could obtain a breakdown as to what is done with those funds. She thought that some of the grants that are applied for and received should help to defray some of the costs.
- HOLMAN** Mr. Holman responded that he would send her a letter with the information. He added that when the grant application is prepared, what the funds are to be used for is included. One item would include reimbursement for a truck purchased last year, which helps with the leaf pick up. \$1,000 goes toward the cost of mailing the newsletter because that's how information about recycling is distributed. A small portion of that that goes towards maintaining and picking up a new computer software package that helps us track documentation. Also it paid for one page in the Recycling for one quarter. That's what the grant covers.
- WEITKAMP** Ms. Weitkamp felt that the meeting was very important, and it was nice to have Mr. Ward represent Mr. Wagner who couldn't be here. She asked whether the Township gives permission for the waste hauler to go around and photograph the properties.
- SCHENCK** Chairman Schenck responded that the Township does not give them permission, nor forbid them to do it.
- WEITKAMP** Ms. Weitkamp indicated she was told the Township gave them permission, and she resented it very much. She felt it was a privacy issue.
- RAUSCH** Solicitor Rausch indicated that the Township did not authorize or mandate that happening, but there's nothing to prohibit them from doing so since they were standing on a public right-of-way.
- WEITKAMP** Ms. Weitkamp indicated her father had built their home in 1933. She gave background information on the Township in years gone by, along with Township board members from years ago. She noted that as people age there should be some kind of discount or rebate on their garbage bills. She could appreciate the gas going up, and she appreciated the charts Mr. Ward provided; however, she expressed concern with rising costs. She appreciated the Township having the meeting for a better understanding of where the residents are headed. She definitely did not agree with some of what she heard and suggested to look into some other carrier for the garbage.
- RAUSCH** Solicitor Rausch clarified that the contract will be bid and will be awarded to the lowest bidder. That is how the citizens are guaranteed to get the lowest price. It has to be awarded to the lowest bidder unless there is a real good reason not to. The Township must submit specifications, and then any contractor is allowed to bid on that. The Township usually takes the lowest bid.

**SCHENCK** Chairman Schenck stated that they were trying to accomplish was to gain as much information about the garbage program as possible. If the Board chooses to draft a garbage contract, it will be put out to a competitive bid with at least three bidders. Once the specifications are drafted, as a government entity, they are held to award that to the low bidder. The Board chooses what is in the contract, which is the reason for this meeting. They wanted to hear about the resident's concerns in order to evaluate them. The ones that can be changed can be added to the contract, and whichever company wins the contract will be held to those things.

**MCCARTHY** Mr. McCarthy asked whether they are sealed bids.

**SCHENCK** Chairman Schenck responded that they are sealed bids.

**STUHRE** Mr. Stuhre asked whether a synopsis of the specifications could be provided especially for the high priority items that would be most effective to the residents. He asked whether they could be placed in the fall newsletter, which would be issued before an award. Then another meeting like this could be scheduled so that the residents could come back and express their approval or disapproval. There would be an opportunity to adjust it some based on citizen comment.

**SCHENCK** Chairman Schenck responded that was the intent, and it had begun early in order to communicate to the residents. If there are changes there won't be any surprises.

**G. Final Comments from Board Members:**

**GURRERI** Mr. Gurreri commented on the pictures, Ms. Weitkamp had a good point, and perhaps the waste hauler should stay away from taking a picture of the whole house and just focus on the garbage. He indicated there is a common thread here that all the residents are looking for service. He noted that none of the residents who go to Florida had come to complain about having to pay for garbage pick up while they're in Florida. Mr. Gurreri thought they should still have to pay because the trucks have to go up and down the street; however, he thought there could be a discount for those who aren't in the Township for several months of a year. He did not know if that was a possibility or not. He thanked the residents for coming out for what he thought was a very informative meeting.

**DVORYAK** Mr. Dvoryak indicated he would like to follow up with Mr. Sandmeyer on a comment he made. He wanted to probe in order to better understand, as a Board, how to address the issue. He understood that Mr. Sandmeyer currently paid for one bag a week trash service.

**SANDMEYER** Mr. Sandmeyer responded that he paid for three but usually only put one out.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TRASH CONTRACT**

**MARCH 16, 2005  
APPROVED**

- DVORYAK** Mr. Dvoryak questioned whether, now that it's spring time, he would have four or five to put out.
- SANDMEYER** Mr. Sandmeyer responded that he was correct.
- DVORYAK** Mr. Dvoryak stated that the current system that is in place in Springettsbury to handle that is that he could purchase an additional tag for the one or two bags. He clarified for his understanding that Mr. Sandmeyer was not happy with that system and asked whether that was a fair statement.
- SANDMYER** Mr. Sandmeyer asked why he should pay for a couple extra bags when he only puts out one a week over the last three months. Whenever he puts out extra bags here comes that guy with the camera.
- DVORYAK** Mr. Dvoryak stated that he understood. .
- RAUSCH** Solicitor Rausch commented that he would have to understand how difficult that would be to monitor if everybody did that. He indicated that it would be addressed.
- BOWMAN** Mr. Bowman expressed concern with yard waste and the spring clean up. He did not think people were going to separate leaves from branches that were being cleaned up. If it's yard waste they're going to recycle it. Dead flowers, dead twigs are understandable, but not bag after bag of leaves. It's just yard debris.
- HOLMAN** Mr. Holman stated that the definition used for brush comes from the DEP Regulations. There will be some leaves in the brush which is understandable. He cautioned not to just put out a bag full of leaves because under DEP regulations they must be picked up separately by law.
- BOWMAN** Mr. Bowman indicated he would not want the waste hauler to reject someone's yard waste because of this, especially if it's just a mixture of dead flowers and leaves.
- HOLMAN** Mr. Holman indicated that this will increase the recycling tonnage which should increase what we get from the 901 Recycling Grant. That money actually goes towards paying for the street sweeping, the street sweepers, clean up, our own leaf clean up, all that money goes to pay for that so by keeping that a strong program. It can be kept out of the property tax. The recycle program is very strong.
- SCHENCK** Chairman Schenck commented that if he has more than the three bags a week that he paid for, he will hold his extra bags behind his house and put them out over time. He noted that many individuals promote the tag-a-bag program. Much of the trash contract centers around the philosophy of recycling and the difference it makes in what the Township gets back from the state. Chairman Schenck noted that he had taken notes on all of the comments. He asked

whether the next meeting would be announced in the summer newsletter to provide an idea of the time frame.

**HOLMAN** Mr. Holman responded that he was correct.

**DVORYAK** Mr. Dvoryak asked Mr. Ward to comment on the tonnage and whether it varied from week to week or whether it was fairly predictable.

**WARD** Mr. Ward responded that the tonnage would vary from quarter to quarter. In the first quarter it will be lower, definitely increase up into the second and third quarters, and then drop slightly in the fourth quarter. When a contract is bid, they look at Springettsbury's tonnage as a whole and divide that by the number of units to pounds per week.

**RAUSCH** Solicitor Rausch asked about billing practices and whether there are any cost savings to having the municipalities do their own billing.

**WARD** Mr. Ward responded that specifically, yes. Because they don't have to bill for collection costs. He added that most municipalities are getting away from that and having the waste hauler do their billing.

**HOLMAN** Mr. Holman stated that he had discussed the matter of billing with other managers, and most municipalities are going to send them out. There are several who want Springettsbury to do their sewer billing for them since the capabilities are in place to do so. That would be one of the joint services to be worked out. They want to send billing out due to the cost of manpower, health benefits, maintaining computer systems, updating software all of which keep escalating. It is a costly matter when that is all included. Penn Waste has the same costs.

**GURRERI** Mr. Gurreri noted that he made a good point, since Springettsbury already does billing for the sewer. Residents who don't pay are usually the same ones who don't pay their garbage bill. It is something to review.

**DVORYAK** Mr. Dvoryak commented that there is another option which would be to include it in the tax billing.

**SCHENCK** Chairman Schenck indicated that it could be included in the tax base. He added that to put the garbage in the sewer bill could be complicated because not every home in Springettsbury is on the sewer.

**HOLMAN** Mr. Holman responded that it would require a new module.

**SCHENCK** Chairman Schenck stated that the end user is going to pay one way or another. Whether the Township or the waste hauler does the billing will be determined as to whichever could do so the cheapest.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – TRASH CONTRACT**

**MARCH 16, 2005  
APPROVED**

**SCHENCK** Chairman Schenck asked whether there were any further comments. He thanked everyone for coming. He hoped more would come to the next meeting and asked that they spread the word.

**H. Adjournment:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:30 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 10, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 10, 2005 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  
Nick Gurreri  
George Dvoryak

**ALSO IN ATTENDANCE:** Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Jim Baugh, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
David Wendel, Director of Parks and Recreation  
Dave Eshbach, Chief, Police 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 opened with a word of prayer and led the Pledge of Allegiance.

**B. Oath of Office – Douglas A. Snyder, Fire Fighter**

Administering of the oath was delayed.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. March 10, 2005 – 6:30 p.m.**

**1). Litigation: A. A. Myers  
Pasch v. Springettsbury Township**

**SCHENCK** Chairman Schenck announced that an Executive Session was held this date regarding a personnel issue and litigation concerning A. A. Myers.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

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

**SCHOBER**

Mr. Schober reported that the BNR Project had been constructed and in full-scale operation for several weeks; data is being collected. Mr. Schober provided the Board with some photographs. Preliminary findings indicate that additional nitrogen is being removed. Mr. Schober reported that the survey work was ordered for the Barwood Road Sewer project. He indicated that the Grant Administration work is being done, which goes back to the York City Pump Station and a project at the Waste Water Treatment Plant. The Township has been working with the Corps on some required certifications from R.K.& K. on the pump station. The certifications are no longer required, which will enable the Township to submit the certifications and streamline that procedure and is projected to be completed by March 18<sup>th</sup>.

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

**Central High School**

**LUCIANI**

Mr. Luciani provided several updates. He reported that the Minutes of the Central High School meeting, which Mr. Holman and the staff had with Dr. Estep, were provided to the Board. A presentation will be made at one of the next several Board meetings concerning the temporary signals for Central High School. There is a computer model, provided by Pennoni, for the original traffic analysis with a pictorial view of the backup of traffic. This will enable the Township to determine how that traffic will flow and the temporary signals operate during the peak hours at Mt. Zion and Sherman Street. There are some remaining technical issues to be resolved. The Board probably will be asked to endorse temporary signals in order to proceed with design in an effort to make safe traffic movements for the high school.

**Market Street Median**

Mr. Luciani advised he would provide a brief presentation concerning the Market Street Median later during the Agenda.

**SCHENCK**

Chairman Schenck asked whether the Central School District was having difficulty meeting the time line of scheduled improvements, and whether that would affect the temporary signaling.

**LUCIANI** Mr. Luciani responded that the bulk of the right-of-way change involved the road realignment. The signals they envision will be a simple string pole situation where they would just drop the telephone pole and put the signal heads on it. There is probably adequate right-of-way for the temporary signals.

**GURRERI** Mr. Gurreri commented that he was surprised the School District would actually open the school without completing the roadwork.

**LUCIANI** Mr. Luciani responded that the archeological investigation fell behind with the weather conditions, the right-of-way problems, and the utility relocation. He stated the school construction is actually ahead of schedule and will be ready in August.

**HOLMAN** Mr. Holman added that the federal funding requirements for the road and difficulty with the archeological study, along with some of the land takings have caused the roadway delay. In addition, PennDot will look at awarding the job in November and letting the job in December. The Township was very clear to PennDot that the detour will not take affect until the school year is over.

**LUCIANI** Mr. Luciani stated that there are some things that could be done in the meantime, such as some grading, some utility work off the cartway which would not impact the normal flow of traffic.

**HOLMAN** Mr. Holman noted that the Board had foresight in putting into the agreement with the school that, should there be a problem with a delay, the road would have to be made safe with temporary signaling.

**GURRERI** Mr. Gurreri asked who was responsible for the archeological study.

**LUCIANI** Mr. Luciani responded that the School District hired an engineer, but because of the weather and some property owners who had prohibited them from coming on their property to do their investigation, held up the study.

**GURRERI** Mr. Gurreri noted that the subject had been discussed over two years ago, and it is a shame for the delay.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of March 10, 2005**

**MR. DVORYAK MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED IN THE LISTING OF MARCH 10, 2005. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Bids for the Eden Road Interceptor and Tulip Tree Lane Sewer Rehabilitation Project – Contract No. 2005-01.**

**HOLMAN** Mr. Holman stated that final agreement had been reached on the easements. The main purpose is to be able to do away with the pump station. He requested authorization to advertise the project.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR THE EDEN ROAD-TULIP TREE LANE SEWER REHABILITATION PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization for Payment: Payment of Volunteer Fire Co. Audit Fees for the Year 2000 in the amount of \$4,850.**

**HOLMAN** Mr. Holman stated that he had read and re-read the information concerning the audit fees and had discussed it with the Solicitor. He re-read the Ordinance and determined that the Township is required to pay for this audit. The funds come from the money raised for the fire fund. The bill is due and payable. In addition, an update had been received which indicated an additional \$340. cost for audit fees for Stambaugh Ness.

**SCHENCK** Chairman Schenck reported that the Treasurer, Richard Lake, was not involved at the time all this occurred and he did not have the data of what the audit fees were for although he noted it in his letter that they were expecting the reimbursement. They were advised to compile the necessary information, which they did. The Township paid this in the past, and the Ordinance is clear.

**HOLMAN** Mr. Holman recommended reimbursement to the Fire Company of this invoice and revise the amount due to add the \$340, which was not part of his initial review. The total amount to be reimbursed to the Fire Company is \$5,190.

**BISHOP** Mr. Bishop asked whether that amount covered only one year.

**HOLMAN** Mr. Holman responded it was for two years.

**SCHENCK** Chairman Schenck added that one year was a bigger audit.

**HOLMAN** Mr. Holman agreed that it had been more expensive, but the records are in much better shape and have improved tremendously.

**MR. GURRERI MOVED TO AUTHORIZE PAYMENT TO THE VOLUNTEER FIRE COMPANY FOR THE AUDIT FEES FOR YEARS 1999 AND 2000 IN THE AMOUNT OF \$5,190.00. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop noted that Mr. Lake's letter indicated that the years were 2000 and 2001.

**HOLMAN** Mr. Holman responded that it was a 1999 and 2000 billing for 2001. These are the only ones that have not been reimbursed. He assured the Board he would make sure the authorization is for the correct years.

**MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were none for discussion.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri noted that Luther Sowers, who serves on the Township Historical Board, had been recognized by the County Park for his volunteer work for 17 area agencies. He forwarded the information to Mr. Holman.

**GURRERI** Mr. Gurreri commented on the Korner Kupboard sign. The business no longer exists, and he thought the sign should come down.

**BAUGH** Mr. Baugh responded that when signs are permitted they are allowed to stay up until another sign is permitted. A new application for signage had been received. They are waiting for additional information, and as soon as that information is furnished, a new sign will go up in its place.

**SCHENCK** Chairman Schenck reminded the Board members that on Tuesday, March 15<sup>th</sup> at 6 p.m., the kick off meeting of the Joint Fire Services will be held. The meeting will be chaired by Austin Hunt of Spring Garden Township.

**HOLMAN** Mr. Holman stated that most of the individuals responded that they will attend. He is preparing a three-ring binder for each member.

**HOLMAN** Mr. Holman added that Wednesday, March 16<sup>th</sup>, at 6 p.m. a Work Session on the Trash Contract will be held.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he is working on a draft application for an IFIP program. He had not had an opportunity to review it in detail; however, he asked that the Board would review it and pass along any questions or comments to him. The total amount that will be requested for road improvements is \$4.85 million. A meeting for review will be held with YAMPO representatives on Thursday, March 17<sup>th</sup>.

**Fire Company Vehicle**

**HOLMAN** Mr. Holman brought forward an additional item which just came to his attention through Mr. Stern. This concerned the replacement of the Tahoe, which was scheduled in next year's budget. Mr. Stern had been in the process of finding a low-cost option for replacement and found one which could be taken advantage of within this year. The Capital Fire Fund could be used for this purchase. The Volunteer Firemen were contacted, and they agree with this capital purchase. The Tahoe would be taken out of service, and a new Ford Expedition purchased under a program that runs out March 11, 2005. All other Ford products on the state purchasing program do not need to be ordered until June. Because the purchase was not budgeted, the Board's authorization is needed. The vehicle could be purchased for about \$5,000 to \$6,000 less than it would cost next year. He would issue a Purchase Order immediately.

**SCHENCK** Chairman Schenck asked for more detailed pricing information, which seemed lower than what he expected.

**STERN** Mr. Stern responded that the vehicle is a 2005 Expedition and is a special service model sold to fire departments and police departments. The price is \$23,900. Mr. Stern estimated approximately \$5,000 for add-ons, which would not occur until the vehicle comes in and would include lights, sirens, command centers, etc. The MSRP for that vehicle is \$33,300. This is through the Central Westmoreland cog where the last Expedition, as well as Community Development pickup trucks, had been purchased and would be approximately \$9,000 less than the MSRP.

**SCHENCK** Chairman Schenck asked whether the vehicle that Mr. Stern drives at this time was purchased by the Ambulance Club.

**STERN** Mr. Stern responded that he was correct. The Ambulance Club bought the red Tahoe. The Township bought the current Expedition. The goal is that the current Expedition would be moved to the #2 car and then the new one would be the primary command car for the duty officer, the Captain. That way the current Expedition would last longer. It has 61,000 miles now. He was confident that if it were moved to the #2 spot it would last another five years.

**SCHENCK** Chairman Schenck asked what the disposition would be for the Tahoe.

**STERN** Mr. Stern responded that the Tahoe would be either traded or sold. The mileage is 81,000. The Kelly Blue Book on the red Tahoe is \$8500. He thought it might be worth \$7,000 or less as there are some electrical problems from the lights, sirens and radios overloading the system.

**HOLMAN** Mr. Holman commented that he had reviewed the matter with Mr. Lauer, and it would save on some planned repairs on the Tahoe. He has all the necessary computer diagnostics, etc. for the Expedition. In moving it to the #2 spot, this would relieve some of the strain on his maintenance department. He added that the funding would come from the Capital Reserve portion of the Fire Fund and is an allowable expense from that fund.

**BOWMAN** Mr. Bowman asked whether next year the vehicle will cost \$5,000 or \$6,000 more.

**STERN** Mr. Stern responded that the actual price is not known. The MSRP is \$33,315. The Central Westmoreland cog's negotiated price this year is \$23,900.

**HOLMAN** Mr. Holman indicated that the Tahoe would be lower in value, and the cost for new vehicles will go up at least \$1,000 or \$2,000 on state contracts. He determined that it would be taking value out of one and adding it to another and probably trade off about \$5,000 with the additional maintenance cost savings.

**BISHOP** Mr. Bishop indicated that if there was money to be saved, and the Board is sure it's the right thing to do, it made sense to him.

**GURRERI** Mr. Gurreri commented that he didn't have a problem with it.

**MR. GURRERI MOVED TO APPROVE THE PURCHASE OF A 2005 FORD EXPEDITION FOR \$23,900 PLUS \$5,000 FOR ADD-ONS FOR A TOTAL PRICE OF \$28,900 WITH MONEY TO BE USED FROM THE FIRE FUND. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck added that Mr. Holman had asked the Board to consider creating an Authority for the purposes of possible Redevelopment Authority/Financing Authority and the Board had a Consensus Agreement to do so. Solicitor Rausch will be working on that.

**BISHOP** Mr. Bishop noted that in the Manager's Report he mentioned the land through the Tree Farm for which Central York School District has an interest. The Manager's Report correctly stated that the School District will be responsible for legal and engineering costs incurred by the Township regarding the land and acquisition. The issue had been discussed before, but he seriously thought that all of the significant legal fees that the Township had spent over two or three years ago in anticipation of their wanting to go through that are fees that should be recouped if at all possible.

**HOLMAN** Mr. Holman indicated he would compile those costs and discuss it with Solicitor Rausch.

**BISHOP** Mr. Bishop indicated that some of those legal fees were for the Philadelphia law firm which had represented the Township in front of the EPA. Invoices should indicated thousands of dollars were spent. Mr. Bishop thought the Township should be reimbursed that money.

**HOLMAN** Mr. Holman indicated he would have to research the invoices. He added that Mr. Luciani just finished reviewing the sites for the taking and whether or not they were covered under agreement with EPA.

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

**A. Resolution No. 05-36 – Confirming and Reestablishing Policy Regarding Pre-1992 Sewer Connections.**

**HOLMAN** Mr. Holman stated that there were no changes to this Resolution. It is a reconfirming policy for EDU's which were not purchased for a large commercial facility. In 1992 it was determined that

they could keep their capacity, but if they stopped using it over a year and hadn't actually purchased the necessary EDU's for it, then the Township had the right to transfer the capacity. If they purchased EDU's and go out of business and the Township would have to move those EDU's somewhere else, and the other developers in the Township would have to purchase the EDU's from them and move them. That's part of the policy. In most of these it's just that no one has ever purchased the usage and it has not been used.

**GURRERI** Mr. Gurreri noted that if an individual closes a business, they still have to pay sewer.

**HOLMAN** Mr. Holman confirmed that he was correct, but only on the flow. Every lot, whether business or residential, automatically has one EDU.

**HODGKINSON** Mr. Hodgkinson indicated that if a company, during the time it was in business, used 10,000 gallons a day and they never purchased that capacity, the Township charged them for 10,000 gallons a day, whatever that added up to in a quarter. When that same company went out of business the Township lost all that revenue. If another company were to come in four years later and purchase the property, they don't get the flow that the other company used if the first company never bought the capacity to begin with.

**MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 05-36 CONFIRMING AND RE-ESTABLISHING POLICY REGARDING PRE-1992 SEWER CONNECTIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Approval of Parks and Recreation Department Policies:**

- 1. Concessionaire Agreement and Application**
- 2. Pavilion Rental Policy**
- 3. Pavilion Rental Application**

**HOLMAN** Mr. Holman stated that Mr. Wendel was present to respond to any questions. They are looking for a motion to approve. He stated that the Park & Rec Department had been working a long time on the policy.

**DVORYAK** Mr. Dvoryak asked about the Concessionaire Agreement, which referenced a flat fee per event. His question related to whether that would apply to Little League.

**WENDEL** Mr. Wendel responded that it would relate to a Township-sponsored event. It could be clarified, but he was referring to such items as the Summer Concert Series or Saturday-In-The-Park activities. There is a concession operations policy that is currently used for the athletic organizations, such as York Little League, and EYC Football. We don't charge them a fee to use the concession stand. That's already been established.

**BISHOP** Mr. Bishop asked whether this would apply with respect to facilities that already exist or only in situations where someone would bring in a trailer type.

**WENDEL** Mr. Wendel stated that he viewed this with the Summer Concert Series and Saturday-In-The-Park. He had been primarily focused on Township-sponsored events. It might be something for review in the future when there are users that request the facilities and want to have concessionaires at their events. We've had calls on a couple of occasions where people wanted to have events in the park but they didn't because some of the things they wanted to do were prohibited based on the Ordinance, but people have requested to have concessionaires for tournaments, etc on site.

**BISHOP** Mr. Bishop asked whether it would apply to the vendor who is there at lunch time during the summer.

**WENDEL** Mr. Wendel responded that he was operating out of the concession stand so it fell under the concession operations policy.

**BISHOP** Mr. Bishop noted that he was just trying to understand going forward which policies apply to which people.

**WENDEL** Mr. Wendel noted that the concession operations policy would apply to those who are operating the concession stand.

**BISHOP** Mr. Bishop stated that's not one that the Board was considering. He added that it didn't appear to be clear in this document.

**WENDEL** Mr. Wendel responded that he was correct. This policy applied to concessionaires that operate a unit, a trailer that would come out for a Township-sponsored event, where they would be required to pay a commission of 25%.

**DVORYAK** Mr. Dvoryak agreed with Mr. Bishop and commented that he thought it was talking about the concession stand.

**WENDEL** Mr. Wendel indicated it might be more easily read if the word vendor were used.

- HOLMAN** Mr. Holman noted that the intent was to take care of the one-time vendors at each event that bring in their own stands.
- BISHOP** Mr. Bishop stated he thought it needed to be better defined.
- SCHENCK** Chairman Schenck stated that during the concerts and Saturday-In-The-Park there were non-profits here as well, particularly the Girl Scouts and Boy Scouts.
- HOLMAN** Mr. Holman indicted that the Girl Scouts and Boy Scouts do a service for the Township.
- SCHENCK** Chairman Schenck stated that they sell the little things. The Boy Scouts are waiting to sell unpopped popcorn. He asked whether that would fall under this category as well. They're not going to be able to provide a food license, etc.
- WENDEL** Mr. Wendel responded that those types of non-food items would not apply.
- BISHOP** Mr. Bishop indicated that there had been a controversy during Saturday-In-The-Park because the Boy Scouts had to be told they couldn't sell their boxes of popcorn.
- HOLMAN** Mr. Holman indicated the item could be placed on hold in order to further clarify it for the Board. There is some time to get that done. That's why they wanted to bring it before the Board at this time.
- BISHOP** Mr. Bishop noted that the non-profit issue was a good issue too.
- SCHENCK** Chairman Schenck commented that some non-profits are big time food vendors, such as the big funnel cake trailers. The matter gets very complicated. He did not want to disallow things that the Board wanted to occur.
- WENDEL** Mr. Wendel indicated that while the policy was being developed, his thinking was more toward safeguarding public health.
- SCHENCK** Chairman Schenck responded that the Board entirely agreed on that point but who it applied to was somewhat vague. For instance, if the commercial chopped steak vendor came in, absolutely, he should be licensed.

**BISHOP** Mr. Bishop observed that they just need the who and the when documented.

**HOLMAN** Mr. Holman stated that he would meet with Mr. Wendel and the Solicitor to review and clarify the definitions. In addition, he thought it would be good to attach the current concessionaire policy for use of the actual facility.

**2. Pavilion Rental Policy**

**SCHENCK** Chairman Schenck commented that he had rented the County Parks pavilions, and this was very similar. He thought it was a good policy to have in order to gain the ability to reserve it, and the fee was nominal. The assumption is that if it is not reserved it is available on a first-come, first-served basis.

**WENDEL** Mr. Wendel reported that the fees ranged from \$45.00 to \$60.00. The County pavilions are much larger and can accommodate up to 150 people. They had done some research of the neighboring municipalities, and their fees all compare with what had been established.

**WENDEL** Mr. Wendel stated that a question had been posed during the development of the policy pertaining to how to monitor the usage.

They had decided that posting signage indicating that those who have a permit get first priority usage. Those who reserved would have that permit with them in the event there was a group already using a pavilion during their time slot; they would share that information with them and hopefully the group would leave quietly.

**SCHENCK** Chairman Schenck noted that the County has a sign when a pavilion is rented and someone during the morning goes and flips it around to indicate, "Reserved."

**WENDEL** Mr. Wendel commented that they have the use of the park rangers to help monitor that, whereas with the Township the heavy usage would be on the weekends when there isn't anybody readily available to do that.

**GURRERI** Mr. Gurreri noted that it could be a problem because the Township would not have the park rangers.

**WENDEL** Mr. Wendel indicated he had discussed the matter with Recreation Directors from the neighboring municipalities and asked if they're

ever confronted with this situation. For the most part it hasn't been a problem. They have signage mounted to their pavilions and people usually respect the rules.

**WENDEL** Mr. Wendel stated that he thought the usage would actually increase with the option of being able to reserve the pavilion.

**GURRERI** Mr. Gurreri asked whether there would be some way to post the pavilion for that day.

**WENDEL** Mr. Wendel responded that they could review that. They were concerned about vandalism. He thought that signage indicating that first priority is given to those having a permit would be sufficient.

**HOLMAN** Mr. Holman assured the Board they would make sure that it would be handled appropriately.

**MR. BISHOP MOVED TO APPROVE THE PAVILION RENTAL POLICY AND PAVILION RENTAL APPLICATION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Enter into Traffic Improvement Agreement with the County of York for 911 Center and York County Prison.**

**SCHENCK** Chairman Schenck questioned whether an Agreement had been reached.

**HOLMAN** Mr. Holman reported that the salient points of the Agreement were sent out to everyone. They will meet our rules and regulations with regard to road construction, sidewalk and lighting up to the cul-de-sac beyond the 911 Center. They are contributing \$175,000 out of Liquid Fuel funds to the Township for the Township's use to help offset a further connection to that road.

**LUCIANI** Mr. Luciani added that there would be an additional 600 feet of roadway.

**HOLMAN** Mr. Holman stated that they will be providing \$10,000 additional to do further traffic studies in that area. Payments will be made in 2006, 2007, and 2008. In each year the minimum payment to be made will be \$50,000 and the final payment will be \$25,000. Those funds will be used on current Township roads that need repair. The Township would then reserve some funds out of the road improvement capital for further improvements in that area.

The \$10,000 would be paid first. Mr. Holman stated it had been an interesting negotiation.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO A TRAFFIC IMPROVEMENT AGREEMENT WITH THE COUNTY OF YORK FOR 911 CENTER AND YORK COUNTY PRISON. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop asked what the York County Prison had to do with it.

**LUCIANI** Mr. Luciani responded that York County is all in one 200-acre tract. They have a plan for the change in the Work Release facility, and one of the requirements the Township set was that to bring all the roads up to Township standards. That included Heindel Road, which runs through the tract. That must be a minimum of 32 feet wide and have curb and sidewalk. The Township indicated they would need a waiver. The Township tied in the Prison and 911. What is not included in this agreement is the other facility. This is a developer's agreement indicating what they intend to do for the roadway, so when the plan comes before the Board, the Planning Commission asked what they were doing for the joint roadway. This is being done in lieu of Heindel Road. Instead of widening that road, this is going to be a replacement segment, and as part of 911 they're going to build from Davies Drive to the middle of the tract, about 1,000 feet. The missing gap/link in the whole thing is the 600 feet of road to get to the railroad track.

**SCHENCK** Chairman Schenck noted that then there has to be a way to get across it.

**MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – February 24, 2005**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES FROM THE BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 24, 2005. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**GURRERI** Mr. Gurreri noted that when new businesses opened up in the Township, notices had been sent to the Board. He would like to see that happen again.

**GURRERI** Mr. Gurreri commented that there was a meeting here with Representative Keith Gillespie and some of the other Representatives. It would be nice to know that, as he would like to attend when it's here in this building.

**HOLMAN** Mr. Holman stated he would let the Board members know. Those meetings dealt with the Yorktown Center for support of the grant application.

**LUCIANI** Mr. Luciani noted that a question came up about signals. All signals, when those maintenance agreements are signed, require that the Township replace the bulbs, etc.

**SCHENCK** Chairman Schenck stated that the Board might want to think about that, as well as signage as there are some key intersections which need better instruction, such as at Mt. Zion Road and Edgewood. There are absolutely no signs indicating the street direction whatsoever. He had no idea what those signs cost.

**LUCIANI** Mr. Luciani stated they cost about \$200.00.

**SCHENCK** Chairman Schenck suggested to think about a plan, not as a large project, but a logical way to catch up on that.

**HOLMAN** Mr. Holman offered to investigate the costs and the intersections. If the Board knows the intersections that are of interest, then he would make some recommendations.

**BISHOP** Mr. Bishop thought it was a good idea to at least discuss it, understand the costs and devise a plan.

**SCHENCK** Chairman Schenck added that if developers are paying for intersection improvements, that could be one of the items on that

**LUCIANI** Mr. Luciani provided a short presentation concerning the Market Street Median Project. The project starts at Mt. Zion and Market Street. There is a concrete mountable curb planned to prevent cars from making turns and the intent here is that PennDot will come in and have effectively two lanes of traffic with the middle left turn lane further down. The Township sent letters to all the adjoining and several responses have come to Mr. Holman. This is a PennDot project, not a Township project. Will Clark of the County asked whether the Township was in favor of this median or not.

- HOLMAN** Mr. Holman indicated that what they were seeking from the Board was whether the Township endorsed the median, which is a safety concern and if so, he would send a letter on the Board's behalf to indicate approval to move forward and include the median as part of the project. There were several responses from property owners, and some were unhappy because they'll be unable to cross.
- GURRERI** Mr. Gurreri asked how far down the median would extend.
- LUCIANI** Mr. Luciani responded that it would start at Mt. Zion and will extend right to and including the Paddock. They can use the Bloomingdale entrance.
- BOWMAN** Mr. Bowman asked how many letters were sent.
- HOLMAN** Mr. Holman responded that he sent the letters to every property owner which was about 20 letters and received four negative responses back.
- SCHENCK** Chairman Schenck recalled when the medial strip was constructed on Market Street in front of York Mall. When that happened, all the businesses were able to put entrances in off Eastern Boulevard. Just about every business that will be affected from Mt. Zion Road up to the Paddock has access to the rear of their properties off Eastern Boulevard. He asked whether there would be any reason for the Township to prohibit that. The road would need to be widened and curbed.
- LUCIANI** Mr. Luciani responded that the Township would not prohibit that. However, he was certain PennDot would not want to expand this scope to mitigate the concerns to get better access. PennDot is only concerned about what's happening in the front on Market Street. The Township could create other entrances.
- HOLMAN** Mr. Holman stated that the Township will work with the business to try to make sure they have accesses.
- LUCIANI** Mr. Luciani added that he thought the Board would be reasonable and allow waivers for properties to connect with access drives because it is a hardship not created by the businesses.
- BOWMAN** Mr. Bowman asked whether the letters were sent regular or registered mail.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 10, 2005  
APPROVED**

- HOLMAN** Mr. Holman responded that they were sent by regular mail to all the property owners, the tax payers. If there was a different business name they received one as well. Not only had he heard from the local Unimart, he had also heard from the Unimart nationally, their corporate headquarters.
- BAUGH** Mr. Baugh noted that they all received the letters. Several had come back due to incorrect addresses or owners, and research was done to find the correct ones; the letters were then received.
- BOWMAN** Mr. Bowman asked if the median would impact the apartments.
- LUCIANI** Mr. Luciani assured him that there would be no impact for Springetts Manor.
- LUCIANI** Mr. Luciani stated that PennDot needed approval from the Township to proceed with the median.
- BISHOP** Mr. Bishop stated that the only reason he would hesitate to support the median would be if it were a prelude to a median extension all the way down that street.
- GURRERI** Mr. Gurreri added that it would be good to have access off Eastern Boulevard so they could get into the back of those properties.
- LUCIANI** Mr. Luciani added that some pro-active steps are being taken to reduce traffic on Market Street, which can't be widened. Concord Road is one of them along with the extension going through BJ's.
- BISHOP** Mr. Bishop noted that even though it can't be widened, it could definitely handle significantly more volume than it's handling now.
- LUCIANI** Mr. Luciani assured him that he was correct and added that another item that is going to help the situation with volumes is the Davies Road connection across the tracks.
- HOLMAN** Mr. Holman stated that a letter had been received from PennDot with regard to the eastern end of the improvement and the widening of the culvert at the bridge. He would like to send a letter on behalf of the Board in support of widening the culvert and the bridge permit.
- LUCIANI** Mr. Luciani commented that in the area of the AMC project, there is a tributary of Kreutz Creek which goes underneath the gas station. They need a general permit to do a box culvert. They are

applying to DEP to close that stream. Mr. Luciani did not see a major impact on the Township. If the road is widened, the culvert must be widened as well.

**Consensus of the Board was agreement to support the application for a bridge permit.**

**Consensus of the Board was agreement to support the Market Street median in the interest of public safety.**

**14. NEW BUSINESS:**

There was no New Business for discussion.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:20 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 24, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 24, 2005 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  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Nick Gurreri

**ALSO IN ATTENDANCE:** Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Dave Eshbach, Chief, Police Department  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:00 p.m.

**A. Opening Ceremony**

**SCHENCK** Chairman Schenck led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

**A. February 24, 2006 – 6:30 p.m.**

- 1. Real Estate: Easement along Sand Bank and Eden Roads**
- 2. Litigation: A. A. Myers – Pasch v. Springettsbury Township**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held prior to the Regular Meeting this date. Discussion was held regarding the real estate easement along Sand Bank Road, the taking offer from the Central York School District, the results of a PUC Hearing concerning the Concord Road rail crossing, litigation surrounding the A.A.Myers case, Pasch v. Springettsbury Township and the Springwood Road Development Corporation litigation.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for citizen comments. There were no citizens present for comments.

**4. ENGINEERING REPORTS:**

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

**SCHENCK** Chairman Schenck stated that, due to the inclement weather, those individuals who normally would present reports were given an option to not attend the meeting.

**HOLMAN** Mr. Holman stated that Mr. Schober had provided a written report and he had nothing further to add.

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

**York County Prison Expansion**

**LUCIANI** Mr. Luciani reported that a meeting had been held concerning the York County Prison Expansion. The forecast indicated that the new York County Prison site would include a methadone clinic and an application for such will be filed. A discussion was held regarding an extension of Davies Drive. As part of the 911 project the intention is to extend that road from Davies Drive another 600 feet. An attempt will be made to obtain a fixed amount of money just to build the road to extend it from their cul-de-sac to the railroad track. There had been an agreement on the cost to build the road, and Mr. Holman will be working with the County to negotiate assurances that the road will be built. That will tie up the 911 center, and they are anxious to move forward with the prison expansion. They wanted to get the agreement out of the way.

**PUC Hearing**

**LUCIANI** Mr. Luciani reported that he and Messrs. Schenck and Bowman attended the PUC Hearing. He thought the meeting went well; however, Norfolk Southern had not agreed to totally withdraw their argument. It is hoped that the matter can be concluded soon, as it is critical to the additional commercial development at the Bon Ton. Continuing work is being done on some of the engineering design for that project.

**Safe Routes to School Grant**

**LUCIANI** Mr. Luciani commented that he was happy with the amount received through the Safe Routes to School grant.

**BISHOP** Mr. Bishop commented that the Safe Routes to School grant received a lot of press. Other municipalities received more grant money than Springettsbury Township; however, it was his understanding that no one in York County was aware of the grant until Springettsbury applied for it, and Springettsbury didn't know about it until Mr. Luciani and his office uncovered it. Mr. Bishop wanted to clarify that most of York County

benefited from the good work of Mr. Luciani and his firm. He thanked Mr. Luciani.

**LUCIANI** Mr. Luciani responded that the Board had indicated concern about pedestrian improvements at Central High School. With that in mind they had stumbled onto the grant and application was made in July., The grant package was really good and the grants people and staff did a great job. Work is continuing on the sidewalk issue. He thanked the Board for the recognition but acknowledged that it was a team effort.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 24, 2005**

**MR. DVORYAK MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED IN THE LISTING OF FEBRUARY 24, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Extend Allstate Power Vac, Inc. Sewer Maintenance Service Contract – Contract No. 2003-01 for a period of one year to July 23, 2006**

**HOLMAN** Mr. Holman stated that the contract itself allowed for an extension. Allstate Power wanted to renew the contract for an additional year, which will remain in effect until 2006, at a reasonable cost in comparison with current prices. Allstate Power held the cost with no increases.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO EXTEND ALLSTATE POWER VAC, INC. SEWER MAINTENANCE SERVICE CONTRACT NO. 2003-01 FOR A PERIOD OF ONE YEAR TO JULY 23, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-04-15 – Stony Brook Elementary School**

**BAUGH** Mr. Baugh provided background information which had been documented in a February 18, 2005 memorandum. He indicated that Central York School District proposed to add a 26,000 square foot addition to provide space for 300 additional students at Stony Brook Elementary School. The new addition will provide classrooms for kindergarten and third grade. The District had approved a full-day kindergarten resulting in the need for additional classrooms. In addition will be a gymnasium, cafeteria, locker rooms, vestibule, faculty room and electronic storage facilities. Access will be provided along Stony Brook Drive. Planning Commission

recommended approval of the plan with several modifications and waivers as documented in the memorandum and recommended denial of the waiver of financial security as the applicant can provide a cash escrow.

**SCHENCK** Chairman Schenck asked about the loop for students to be dropped off separate from the bus ramp. He asked whether that would be in the new parking lot.

**BAUGH** Mr. Baugh provided an overhead drawing of the plan as explanation.

**SCHENCK** Chairman Schenck confirmed that it would be totally separate. He inquired about the traffic in the intersection of Silver Spur and Stony Brook and commented that a crossing guard is provided around Rita Drive and Stony Brook for students to cross.

**FARRELL** Ms. Carla Farrell of Buchart-Horn, Inc. explained that a traffic study was done for the Planning Commission. The children will be entering both sides. She provided further explanation on the overhead drawing. The traffic study revealed that there was no significant increase, a car stacking of 20 feet.

**LUCIANI** Mr. Luciani added that the concern was the cars backing up at stop signs for motorists wanting to turn left in and out. Before the traffic study was done, they had visited the site at 7:30 and 8:30 a.m. They did not perceive a problem. During the traffic study a cueing analysis was done. It was a relatively free-flowing intersection. Getting in and out of the driveway was not a problem.

**SCHENCK** Chairman Schenck indicated he could foresee problems with the children being brought to school by parents. They will want to take the straightest route and cut across the street at Silver Spur and Stony Brook. That may be an issue more for the crossing guard and the police department to determine how it works once the school opens. There will be a different traffic flow.

**LUCIANI** Mr. Luciani commented that the crossing guard is at Rita Drive, which is at the north end of the school where the buses line up. At Silver Spur and Stony Brook there is no crossing guard now. The initial recommendation was a four-way stop sign, but the analysis did not agree. Planning Commission's concern was how congested the traffic will be with parents dropping the students, not so much with walkers. There are sidewalks for those who walk. The sidewalk waiver covers a four foot sidewalk rather than a five foot sidewalk for two reasons. The sidewalk is in excellent condition, and the children who use the sidewalk are smaller. The reason why the drop off point was changed was because of the congestion.

- FARRELL** Ms. Farrell added that they wanted to change the flow of traffic.
- LUCIANI** Mr. Luciani commented that it is not known how the flow will impact pedestrian movements.
- SCHENCK** Chairman Schenck inquired whether any of the sports fields which are used by several groups will be lost.
- FARRELL** Ms. Farrell responded that they actually tried to elongate the baseball diamond. She added that the children are playing soccer all along the field, even though it is not regulation size. The space will still be open, but they will probably be losing the soccer field there. The baseball field will remain.
- BISHOP** Mr. Bishop asked for further explanation on the sidewalk waiver.
- FARRELL** Ms. Farrell responded that the existing sidewalk is four feet wide and is in good shape. In order to comply with a school ordinance, a five-foot wide sidewalk would be required. Third graders are not very big, and it was concluded that the four foot wide sidewalk would suffice and it would be prudent not to rip out a perfectly good sidewalk. A brand new five foot wide sidewalk will be provided along Silver Spur Drive.
- BISHOP** Mr. Bishop asked about the financial security issue.
- BAUGH** Mr. Baugh responded that a waiver had been requested so unless the waiver request is withdrawn, the Board would have to deny it. The financial security can be in the form of a bond, letter of credit or cash. Mr. Baugh's thinking was that since the school had such a large account at the bank, the letter of credit would be very inexpensive, but the applicant advised that it would be even less expensive if they just set up a cash escrow fund. The Planning Commission and staff recommend that the waiver not be granted.
- FARRELL** Ms. Farrell reported that they had withdrawn the waiver, and it had been removed from the plan.
- RAUSCH** Solicitor Rausch commented on Mr. Bishop's sidewalk point. He asked if those sidewalks were to be replaced, whether they would continue with the four feet dimension or have to comply with the five foot requirement.
- BAUGH** Mr. Baugh responded that if the waiver were to be approved, it would stay with four.

**SCHENCK** Chairman Schenck asked whether there would be a way to assure a five-foot wide sidewalk if the day would come when it needed to be replaced. The cost would be minimal to go to five feet.

**BAUGH** Mr. Baugh suggested to include in the motion granting the modification to state that it be for the usable life of the existing four foot sidewalk, and then at that point in time when it needed to be replaced, a five-foot wide sidewalk would be required.

**MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 04-15,  
STONY BROOK ELEMENTARY SCHOOL TO:**

- **GRANT THE WAIVER OF SALDO §305.1 PRELIMINARY PLAN;**
- **GRANT THE WAIVER OF SALDO §503.2 OBSTRUCTIONS TO VISION**
- **GRANT A MODIFICATION OF SALDO §408.1 SIDEWALKS FOR THE USABLE LIFE OF THE EXISTING FOUR FOOT SIDEWALKS;**
- **GRANT A MODIFICATION OF SALDO §412 STREET LIGHTING;**
- **DENY THE WAIVER OF SALDO §414.3 FINANCIAL SECURITY**
- **TO APPROVE THE PLAN WITH THE FOLLOWING TWO CONDITIONS:**
- **RECEIVING FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER**
- **PROVIDING A LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR EROSION AND SEDIMENTATION CONTROL.**

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

**SCHENCK** Chairman Schenck asked when the school expected to begin this project.

**SCHRADER** Mr. Schrader indicated that bids will go out in the spring with construction beginning the first week of June.

**B. LD-04-14 – York County Prison Time Extension to 3/31/05**

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT 04-14, YORK COUNTY PRISON, TO ACCEPT THE GRANT OF TIME EXTENSION TO MARCH 31, 2005. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**Edgewood Road Project**

**SCHENCK** Chairman Schenck commented on the Edgewood Road project. A tremendous amount of dirt had been moved, and it did not appear that it had been moved with the intention to build a sidewalk. He asked if Mr. Baugh had any information.

**BAUGH** Mr. Baugh responded that the sidewalk must be built in order to obtain an Occupancy Permit.

**BISHOP** Mr. Bishop agreed with Chairman Schenck's observation.

**SCHENCK** Chairman Schenck suggested that Mr. Baugh contact the developers about the sidewalk issue.

**BAUGH** Mr. Baugh responded that he will inquire why they haven't moved dirt in that area.

**BOWMAN** Mr. Bowman noted that the trees had been cut down and removed.

**SCHENCK** Chairman Schenck noted that a kid walking down that side of the street had called his attention to it.

**LUCIANI** Mr. Luciani noted that the only reason why they may not have done that is that maybe there is some utility or curb work to be done for Penn Dot.

**Street Signs**

**SCHENCK** Chairman Schenck noted that Springettsbury Township has many main streets, which cross another street and change names. He noticed in other communities where that occurs that there are fairly large directional signs on the traffic lights designating those streets. He asked whether that is something the Township or PennDot would handle.

**LUCIANI** Mr. Luciani stated that PennDot would handle the state roadways. He cited the new Harley-Davidson development, which is designated by a very small road sign. The Manual for Uniform Traffic Control Devices indicates certain requirements. As an example, if the speed limit is greater than 25 mph, the street name signage must be six-inch letters or higher so it can be read going 25 miles an hour so normally signs on any PennDot road would have to comply with that standard. He added that work is being done on other signage with PennDot. He could review the street signs on state roads with them as they should be made aware that the streets aren't properly named and make a list of them.

**BISHOP** Mr. Bishop suggested that might be an appropriate subject for the Comprehensive Plan Committee.

**HOLMAN** Mr. Holman responded that it would be brought to the Comprehensive Plan Committee's attention, but also is something to work through with Penn Dot's sign people.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that, in addition to his written report, he would like to get the Board's authorization to approve the 30 foot right-of-way that the Township needs from Kinsley Company for Sand Bank Hill to install sewer in consideration of payment to Kinsley of \$4,000.

**MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP TO SPEND \$4,000 FOR A 30-FOOT RIGHT-OF-WAY FROM KINSLEY COMPANY FOR SAND BANK ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman commented on the agreement with the County for the 911 Center. A \$10,000 contribution will be made towards the traffic improvement study being done in the Comprehensive Plan specifically for that area. In addition, they would provide \$175,000 towards completion of the roadway from where they're ending up to the railroad property. In discussions with John Luciani that would cover the cost that the Township would need to reach the rail property. It would not cover anything to do with the gate or the other side. He will be working with the County to bring that agreement to the Board's attention at the next meeting.

**HOLMAN** Mr. Holman reported that he and Mr. Baugh met with representatives from the Central School District, including the Chairman, Eric Wolfgang, their Attorney, Mr. Hovis, and Dr. Estep. The school will be unable to complete the roadway improvements for Central York School District and they have advised that they will be putting in two temporary lights at Mundis Mill and Route 24 and Sherman. A review will be made of recommended signage and the light improvements with Chief Eshbach, Charlie Lauer, Jim Baugh and John Luciani to make sure the safety and traffic is maintained at all times. He had provided a detailed report to the Board previously, but added they will continue to work on the additional issues. Most of the delay is due to the federal guidelines.

**HOLMAN** Mr. Holman added his personal thanks to Mr. Luciani and the staff for their hard work on the grant that was received. An additional \$26,000 DEP 901 grant was received, which is a reimbursement for a truck that was purchased. This will cover some of the mailing costs for the newsletter because it included recycling and help with printing more brochures in order to encourage and educate people. The grant will be detailed in his next report.

**BOWMAN** Mr. Bowman asked how that would compare with previous grants.

**HOLMAN** Mr. Holman responded that this is a different type of 901 grant for recycling which is for specific items, not the ones used for the leaf collection. The Township received \$89,000 on that, and this is in addition. There are different categories for 901. The Township will re-apply next year.

**BISHOP** Mr. Bishop asked whether Charlie Rupp had given a reason for resigning from the Park and Recreation Board.

**HOLMAN** Mr. Holman responded that Mr. Rupp had conflicts with work, and it had nothing to do with the Park & Rec Board. He has been very pleased with his service to the Board, but he won't be able to attend the meetings due to these conflicts. He had enjoyed his time on the Board.

**BISHOP** Mr. Bishop commented that he had done a great job and was very dedicated. He felt it was a shame to lose him and it would be nice to recognize him.

**SCHENCK** Chairman Schenck added that he had been a part of the Board for some time. He was interested to know how long he had served.

**HOLMAN** Mr. Holman responded that he would take care of that as part of the recognition.

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

**A. Ordinance No. 05-04 – Amending Chapter 20 “Solid Waste” to Include Brush (Yard Waste) and Leaf Waste as Recyclable Items.**

**SCHENCK** Chairman Schenck commented that the ordinance will bring Springettsbury into compliance with DEP Regulations and brush and yard waste are now a recyclable item.

**HOLMAN** Mr. Holman stated that the ordinance had been advertised.

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 05-04 AMENDING CHAPTER 20 “SOLID WASTE” TO INCLUDE BRUSH AND LEAF WASTE AS RECYCLABLE ITEMS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop noted that this may be difficult to explain to the residents. He added that the collections will begin in the spring.

**HOLMAN** Mr. Holman indicated that the Township will be reimbursed for legal fees from DEP for the time spent on this Ordinance.

**SCHENCK** Chairman Schenck reported a personal garbage issue. He had placed three 32-gallon containers and a real estate sign out for pick up. He figured the real estate sign as a large item. They picked up the sign but left one of his garbage bags. He asked whether a real estate sign would be considered a large item.

**HOLMAN** Mr. Holman responded that he would investigate the matter. It may have been a misinterpretation by the crew.

**B. Settlement Agreement – Springwood Development Corporation v. Springettsbury Township Zoning Hearing Board**

**RAUSCH** Solicitor Rausch stated that he could execute the agreement on behalf of the Township. They were proposing a use based on a congregate living home for senior citizens, a senior center. This will be in a Commercial Highway District off Eastern Boulevard adjacent to the Pasch commercial development AMC theater. The problem that was encountered was that the Zoning Hearing Board denied approval for the use because of the difficulty in classifying it under current zoning. This use is not in line with the definition in the zoning ordinance about apartments, which is a building designed for occupants of a permanent location. Certain businesses would be considered incidental. This use would have community dining facilities, a full staff with chapel, fitness center and social activities, etc. The problem is that although it meets that definition in a use of hotel apartments, it is not listed in any of the zoning districts. There is a gap. To resolve the problem a settlement agreement was entered into with Springwood Development subject to several conditions listed in the agreement. Upon approval the land use appeal will be resolved.

**MR. DVORYAK MOVED TO APPROVE THE SETTLEMENT AGREEMENT BETWEEN SPRINGWOOD DEVELOPMENT CORPORATION AND SPRINGETTSBURY TOWNSHIP ZONING HEARING BOARD AND AUTHORIZE THE SOLICITOR TO EXECUTE THE AGREEMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that Stacey MacNeal is providing a change to the Zoning Ordinance in order to correct this problem in the future.

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – February 10, 2005**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS MEETING FEBRUARY 10, 2005. MR. BISHOP WAS SECOND.**

**MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**HOLMAN** Mr. Holman noted that the Market Street median extension will be placed on the Agenda for discussion during the next meeting.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of January 31, 2005 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE JANUARY 31, 2005 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resignation of Park and Recreation Board Member Charles Rupp**

**MR. BISHOP MOVED TO ACCEPT THE RESIGNATION OF CHARLES RUPP FROM THE PARK AND RECREATION BOARD WITH REGRET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 10, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 10, 2005 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  
Nick Gurreri  
George Dvoryak

**MEMBERS NOT IN ATTENDANCE:** Mike Bowman

**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  
Dave Eshbach, Chief, Police Department  
Mark Hodgkinson, Director of Wastewater Treatment  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 o'clock. He asked Mr. Gurreri to lead the Opening Ceremony

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri led the Pledge of Allegiance. He stated that Mr. Bowman would not be present as his father passed away. He asked that he and his family be remembered in prayer.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**A. February 10, 2005 – 6:30 p.m.**

**B. Litigation – A. A. Myers and Pasch v. Springettsbury Township**

**SCHENCK** Chairman Schenck announced that an Executive Session was held at 6:30 p.m. this date. Discussion was held regarding a real estate easement situation on Sand Bank Road and litigation with Pasch.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

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

**SCHOBER**

Mr. Schober reported that a meeting will be held regarding the Eden Road Interceptor project with Mr. Kinsley to resolve all issues and get the project underway. Regarding the BNR Study, work is being done to start up the pilot test. Full scale operation will begin February 11 or 14. He invited the Board members to visit the location and see the operation. With regard to Tapping Fees, Solicitor Rausch will provide an opinion on the Township's approach to the tapping fees. While nothing is finalized to date, it appeared that tapping fees will be reduced. This will be reviewed with Jack Hadge and the final report will be provided to the Board. There is a July 31<sup>st</sup> deadline.

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

**LUCIANI**

Mr. Luciani reported three updates in addition to his written report. The PUC meeting, which was postponed due to inclement weather, was rescheduled for Wednesday, February 16, 2005 at 9 a.m. There will be a field view at that point in time.

Mr. Luciani had provided a note concerning Traffic Calming and the preliminary estimates of the reduction and volume on Eastern Boulevard. He anticipated some public comment from a new resident; however, a letter will be forthcoming to Mr. Holman concerning speeds and future measures. The resident had been directed to the focus group and Mr. Holman in order to resolve the issues.

Mr. Luciani reported that he and Mr. Holman attended the York County MPO meeting and received a formal recommendation regarding the Safe Routes to Schools. He received a copy of the York County TIP/Transportation Improvement Plans. He and Mr. Holman reviewed that briefly but will be obtaining information from York County regarding the location of the projects. For instance, bridge widening will occur on Route 30 and Eberts Lane, which are part of the PennDot projects. They want to get a better understanding of what funding will be required by the Township. Listed on there are new projects on Druck Valley and Mt. Zion Road. They felt that the MPO meeting was a worthwhile endeavor.

**DVORYAK**

Mr. Dvoryak noted Mr. Luciani's comment in his report about the PennDot project being delayed in the area of the high school. He asked what was involved.

**LUCIANI** Mr. Luciani stated that would involve the Mt. Zion / Sherman / Mundis Mill project, which was delayed because of the inclement weather. This was not a formal delay, but rather just a notification that there had been some delays.

**HOLMAN** Mr. Holman stated that he had contacted Dr. Estep and the school attorney. A meeting will be held, and a full report will be made to the Board.

**GURRERI** Mr. Gurreri noted that the road is failing now, and it will be a shame to open the new school prior to the road being fixed.

**BISHOP** Mr. Bishop asked whether the School Board would even consider opening the school if the road is not fixed.

**HOLMAN** Mr. Holman stated that this is an important issue. He had read the old Minutes and the original approval of the plan. Following the meeting with Dr. Estep, a full report will be provided to the Board

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 10, 2005**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS SHOWN ON THE LISTING OF FEBRUARY 10, 2005. MR. BISHOP WAS SECOND.**

**GURRERI** Mr. Gurreri questioned an amount of two clothing allowances for David Trott on page 10.

**HOLMAN** Mr. Holman responded that he would provide a response to Mr. Gurreri.

**MOTION UNANIMOUSLY CARRIED.**

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

**A. Buchart-Horn, Inc. – Barwood Road Sewer Design – Project No. 70056 in the amount of \$53,000**

**MR. GURRERI MOVED TO APPROVE THE BUCHART-HORN, INC. BARWOOD ROAD SEWER DESIGN PROJECT #70056 IN THE AMOUNT OF \$53,500. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked Mr. Holman to advise the residents that the Board had acted to authorize this phase of the project.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 10, 2005  
APPROVED**

**HOLMAN** Mr. Holman responded that he would do so. In addition, should anything surface during this phase, the Board will be advised as well.

**B. Buchart-Horn, Inc. – Collection System Long Range Planning – Project No. 70056 in the amount of \$38,000.**

**SCHENCK** Chairman Schenck asked whether the project had been budgeted.

**HODGKINSON** Mr. Hodgkinson responded that it was not budgeted.

**HOLMAN** Mr. Holman stated that it would come out of the Sewer General Fund. The Board authorized the study last year; however, at that time the cost was not known. This will identify when the lines should be replaced. Surplus in that fund is for material and line replacements.

**DVORYAK** Mr. Dvoryak asked whether any of the Long Range Planning could be done in-house.

**HOLMAN** Mr. Holman responded that some of the work will be done in-house. Mr. Hodgkinson will provide the expertise.

**HODGKINSON** Mr. Hodgkinson stated that the Township will be working with Buchart-Horn step by step, as they have all the planning tools.

**DVORYAK** Mr. Dvoryak asked how long it would take to complete.

**HODGKINSON** Mr. Hodgkinson responded that it would take about six months.

**MR. GURRERI MOVED TO APPROVE THE COLLECTION SYSTEM LONG RANGE PLANNING, WITH BUCHART-HORN, INC., PROJECT NO. 70056 IN THE AMOUNT OF \$38,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Proceed with Hawthorne Right-of-Way Rehabilitation in an amount not to exceed \$87,167.**

**MR. GURRERI MOVED TO AUTHORIZE HAWTHORNE RIGHT-OF-WAY REHABILITATION IN THE AMOUNT NOT TO EXCEED \$87,167. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Eden Road Change Order Request for a total contract amount of \$1,066,284.**

**SCHENCK** Chairman Schenck asked what the actual Change Order amount would be as \$1,066.284 is the net amount.

**HOLMAN** Mr. Holman stated that the actual Change Order is \$12,034.48. Additional guide rails were needed beyond what previously had been approved, as

well as additional piping. He noted that the project is still \$42,578 under budget. The increases have been well within 5% of the total cost. The project is nearly completed but the grant does not need to be closed until July.

**GURRERI** Mr. Gurreri asked whether the Change Order for \$12,000.00 should be included in the total amount.

**HOLMAN** Mr. Holman responded that the total amount of the contract when finished will be \$1,066,284. The Board's action will authorize the Change Order of \$12,034.48 for a total contract authorization of \$1,066,284.

**MR. GURRERI MOVED TO AUTHORIZE THE EDEN ROAD CHANGE ORDER OF \$12,034.48 FOR A TOTAL CONTRACT AUTHORIZATION OF \$1,066,284. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-04-13 – Walgreens Land Development – Action**
- B. SD-04-18 – Walgreens Subdivision – Action**

**BELEN** Mrs. Belen requested that the Board act on the Subdivision Plan prior to the Land Development Plan.

**Consensus of the Board agreed to act on the Subdivision Plan first.**

**B. SD-04-18 – Walgreens Subdivision - Action**

**BELEN** Mrs. Belen reported that Subdivision 04-18, Walgreens focused on two parcels, Parcel 308 formerly used as a gas station, and Parcel 313 formerly used as a tire and automobile repair center, Bergy Tire. Detailed information was provided in a memorandum dated February 2, 2005. The purpose of the Subdivision is to combine the two parcels to form one larger tract for a Walgreens Pharmacy with parking facilities and storm water conveyance facilities. The Planning Commission recommended approval of the plan with one condition, which had since been addressed. Staff recommended approval of the plan as presented. Mrs. Belen provided a drawing review of the two lots for the combined plan.

**MR. BISHOP MOVED TO APPROVE SD-04-18, WALGREENS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**A. LD-04-13 – Walgreens Land Development – Action**

**BELEN** Mrs. Belen provided background information as stated in a memorandum, also dated February 2, 2005 for the land development for the site.

Following the combination of the two parcels, the applicant proposed to construct a Walgreens facility on the site. The applicant received several variances at the January Zoning Hearing Board meeting.

**BISHOP** Mr. Bishop inquired about the variance stating “total parking spaces being shown on the plan.”

**BELEN** Mrs. Belen responded that the new parking ordinance provided for showing all the parking spaces required on the plan; however, the developer is only required to install a certain percentage of them with the residual being installed in the future. Because they received a parking variance they also needed to receive a variance from showing that future parking on the plan.

**BELEN** Mrs. Belen continued that the Planning Commission recommended approval of certain waivers and conditions listed. They recommended approval of the plan with conditions listed in the memorandum, most of which had been addressed since the meeting. Staff recommended approval of the plan with the several waivers and modifications, which she identified. Photographs were provided.

**SCHENCK** Chairman Schenck inquired whether the plan would clean up the lot. He asked for the location of the property line.

**LUCIANI** Mr. Luciani provided that location.

**SCHENCK** Chairman Schenck noted that it was an area that needed cleaned up. He asked whether the landscaping would help with the cleanup.

**BAUGH** Mr. Baugh stated it would definitely improve that location.

**HOLLEY** James R. Holley stated that they will improve the bank. There will be a very low retaining wall starting at the south end of the property moving up through the location.

**LUCIANI** Mr. Luciani stated that a modification had been granted to the buffer along Haines Road. One of the reasons why the staff supported that modification was traffic to the site, which is located within the Haines Road Corridor. Money was received from the developers for a concrete median. In addition, they provided additional right of way, which applied to the ultimate right of way for Haines Road. That’s why a buffer was provided with the landscaping, which is in Township right of way. A note was added indicating that the land is dedicated to the Township and assigned into perpetuity. If PennDot decided to widen Haines Road someday, the right of way exists. At that point some of the landscaping will be lost. Work will be done toward installing the concrete median

within calendar year 2005, which will improve the traffic flow into Weis and Walgreens as well.

**DVORYAK** Mr. Dvoryak commented that the property was formerly a gas station. He asked whether any consideration had been given through this process for underground storage gas tanks.

**LUCIANI** Mr. Luciani responded that an environmental report was done in order to address that issue. A closure certification from DEP was provided for the tanks.

**BISHOP** Mr. Bishop inquired how the drive-thru window traffic would flow. He thought there did not appear to be a logical way for the traffic to flow.

**BAUGH** Mr. Baugh responded that as motorists come in from Market for the southeastern corner where the drive-thru is from Market they would make a left and go out on Haines Road.

**BISHOP** Mr. Bishop noted that in order to drive through a motorist would have to cross the opposing traffic around the building.

**BAUGH** Mr. Baugh responded that he was correct.

**MR. GURRERI MOVED TO APPROVE LD-04-13, WALGREENS LAND DEVELOPMENT WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:**

- **GRANT WAIVER OF PRELIMINARY PLAN**
- **GRANT A WAIVER OF ACCESS DRIVES FOR THE EXISTING DRIVE;**
- **GRANT A MODIFICATION OF LANDSCAPING AS SHOWN ON THE PLAN.**

**APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT ACCEPTABLE TO THE TOWNSHIP ENGINEER**
- **PROVIDING COPY OF THE HIGHWAY OCCUPANCY PERMIT FOR NEW TRAFFIC PATTERNS ENTERING AND EXITING ONTO MARKET STREET.**

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

**SCHENCK** Chairman Schenck thanked the developers. He stated that the corner had needed some improvement, and it will be great addition to the Township.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that the Police Pension Board held a meeting February 2, 2005, which took slightly over an hour, followed by the Firemen's Pension Board meeting. These Boards will meet again on May 4, 2005 at 9 a.m., and 10:30 a.m.

**BISHOP** Mr. Bishop stated that the Board needed to consider giving some direction about the entire Memory Lane/Haines Road Corridor. An Engineering Study had been done some years ago at significant cost, and a small percentage of the recommendations had been implemented. There are no current plans to do anything further, but it is a crucial commercial area in the Township that is in really bad shape especially on Fridays and Saturdays. If the Board doesn't take some kind of leadership role to push something to happen there, it will never happen.

**GURRERI** Mr. Gurreri agreed with Mr. Bishop. He commented on the flashing yellow light that had been added at Seventh Avenue.

**SCHENCK** Chairman Schenck asked how the Board would want to proceed.

**BISHOP** Mr. Bishop responded that he was sure the Manager could come up with some ideas for us. He added that it ought to be coordinated through the Comprehensive Plan, and perhaps the Board should communicate its direction to that Committee and/or the consultant. There could be a short term plan and an intermediate term plan.

**HOLMAN** Mr. Holman commented that the median work, which Mr. Luciani is handling, is permanent with the HOP, and funding is in place. As for the rest of it, if the Board could provide short term and long term goals, it could be made a part of what is being done along with the TIP plan as well.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that the YAMPO did approve the Township's Growing Greener to Hometown Streets, Safe Routes to School applications. That had been referred to the state for final approval. He heard from the state engineer and will be talking to Mr. Luciani with regard to setting up the revised application. This related to the sidewalks around Central York School. He will be providing an update on the grants applications to the Board, as well as a report regarding the York Town Center economic impacts.

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

**A. Resolution No. 05-34 – Establishing Escrow Accounts for Professional Fees for Subdivision and Land Development Plan Review and Inspections of Public Improvements**

**SCHENCK** Chairman Schenck indicated that his questions concerning the minimum amounts had been answered, i.e., the amount is now \$500 in both categories. This allows the Township to charge for legal services.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 05-34 ESTABLISHING ESCROW ACCOUNTS FOR PROFESSIONAL FEES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-35 – Springettsbury Township Comprehensive Recreation, Park, Greenway and Open Space Plan**

**HOLMAN** Mr. Holman stated that applications for a special round of grants must be submitted by the end of March and would provide for much more detailed planning for grants for the parks department. The application appeared to be favorable and included certain items that the Board had been looking for with regard to the parks. Not only will that go into what is recommended, but also would include the cost of the improvements.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 05-35, SPRINGETTSBURY TOWNSHIP COMPREHENSIVE RECREATION, PARK, GREENWAY AND OPEN SPACE PLAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Turkey Hill Sewer Right-of-Way and Easement Agreement**

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

**BAUGH** Mr. Baugh responded that Stacey MacNeal had reviewed and approved the agreement.

**MR. GURRERI MOVED TO APPROVE TURKEY HILL SEWER RIGHT-OF-WAY AND EASEMENT AGREEMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Susquehanna Radio Corp. – Addendum No. 1 to Marketing Service Agreement**

**MR. DVORYAK MOVED TO APPROVE ADDENDUM NO. 1 TO THE MARKETING SERVICE AGREEMENT WITH SUSQUEHANNA RADIO CORP. MR. BISHOP WAS SECOND.**

**RAUSCH** Solicitor Rausch stated that this action would extend the contract for one year.

**MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing/Work Session – January 27, 2005**

**MR. BISHOP MOVED TO APPROVE MINUTES OF THE JANUARY 27, 2005 PUBLIC HEARING AS SUBMITTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – January 27, 2005**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING ON JANUARY 27, 2005 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri commented regarding the Minutes of the Work Session/Public Hearing. He noted that there were a lot of people present who spoke, and he thought that their names should be listed in the Minutes.

**SCHENCK** Chairman Schenck responded that, unfortunately, despite instructions they did not provide their names. It was hoped to derive the names through the sign in sheet, but that did not provide the names either.

**13. OLD BUSINESS:**

**BISHOP** Mr. Bishop reported that he had two new exhaust fans installed in his two bathrooms. They had been dutifully inspected by the Township inspector from Commonwealth complete with Building Permit.

**14. NEW BUSINESS:**

**BISHOP** Mr. Bishop asked what the criteria would be for renting out the farmhouse in the future.

**SCHENCK** Chairman Schenck agreed that the Board needed to provide those guidelines.

**HOLMAN** Mr. Holman responded that the rules are in place and will be provided to the Board.

**GURRERI** Mr. Gurreri asked whether Minutes are provided of the Local Government Advisory Committee.

**HOLMAN** Mr. Holman responded that when they are received from the York County Planning Commission, they are placed in a file in the Manager's Office.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 10, 2005  
APPROVED**

**BOWDERS** Mrs. Bowders added that they will be copied to the Board as well.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:44 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 27, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 27, 2005 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN** Bill Schenck, Chairman  
Don Bishop, Vice Chairman

**ATTENDANCE:** Mike Bowman  
Nick Gurreri  
George Dvoryak

**ALSO IN  
ATTENDANCE:** 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, Assistant to Township Manager  
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 7:05 p.m. He welcomed the attendees.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri commented that the Township Manager, John Holman, would not be present due to the death of his father. Mr. Gurreri prayed for the Holman family, the armed forces, the Iraq election, the President and his resolve in the on-going war on terror. He led the Pledge of Allegiance.

**B. Recognition of Lynn W. Bortner, Jr.**

**SCHENCK** Chairman Schenck asked Mr. Stern to come forward for this recognition.

**STERN** Mr. Stern introduced Mr. Lynn Bortner, who served 33 years as a Firefighter with Springettsbury Township. He joined the Township in December, 1971 and retired December, 2004. Mr. Stern stated that Mr. Bortner was a professional, polite and hard working Firefighter. He congratulated him and thanked him for all his service.

**SCHENCK** Chairman Schenck read a Resolution in honor of Mr. Bortner, an official action of the government, which will remain in the Minutes and Township record forever. Chairman Schenck commented that the Township was grateful for his service and added that it had been a true honor to work with people like Mr. Bortner. He summarized and read a portion of the Resolution. He presented Mr. Bortner with a gold watch and Mrs. Bortner with a bouquet of roses in appreciation of her support.

**STERN** Mr. Stern presented Mr. Bortner with a framing of his original ID and photo from 1971 along with his badge and helmet shield used in his service to the Township as a firefighter.

**C. Loyalty Oath – Joel D. Dull, Firefighter**

**STERN** Mr. Stern introduced Firefighter Les Rhoades. Les Rhoades served the Township as a temporary full-time Firefighter August 29, 2004 and has done a great job. Upon the retirement of Lynn Bortner, a vacancy opened and Mr. Rhoades was promoted to the position of Permanent Full Time Firefighter to fill in the vacancy left by Mr. Bortner. He congratulated Mr. Rhoades on his promotion.

**STERN** Mr. Stern stated that since Les Rhoades was promoted, another opening occurred for a Temporary Full Time Firefighter. He introduced Joel D. Dull, who joined the department on January 10, 2005. Joe graduated from Central York. He served in the U. S. Air Force for four years and graduated from the Lewis F. Garland Military Fire Academy. Mr. Dull had served as a volunteer in Manchester Township since 1994 as a Firefighter and currently serves as a part time paid firefighter with York Township and Penn Township. He welcomed Joel to the Department.

**SCHENCK** Chairman Schenck presented the Firefighter Oath of Office.

**D. Susquehanna York Radio**

**BISHOP** Mr. Bishop asked Rich Delancey of Susquehanna Radio to come forward. He stated that this action was to remember, celebrate and renew a relationship that existed between the Township and Susquehanna Radio through the Summer Concert Series, and extended through the Saturday in the Park event and continued successfully. The relationship had been structured through a renewable contract. A consensus of the Board of Supervisors was

to continue the relationship, and it is understood that Susquehanna Radio is interested in continuing as well.

**DELANCEY**

Mr. Rich Delancey responded that they had conducted recent surveys, along with letters and thank you cards which revealed an overwhelmingly favorable enjoyment of the Summer Concert Series. He stated that Susquehanna Radio was very happy to be partnering Springettsbury Township for the concert series, Saturday in the Park and what will be the second annual Christmas Tree lighting.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK**

Chairman Schenck announced that the Board held an Executive Session at 6 p.m. at which meeting they discussed litigation surrounding the Pasch Hunter's Crossing and litigation involving A. A. Myers. No additional meetings had been planned.

**3. COMMUNICATION FROM CITIZENS:**

**Penn Waste – Palmer Litigation**

**PALMER**

Mr. David Palmer, 2640 North Sheridan Road, stated that he wished to discuss Penn Waste. He indicated that during the last meeting he presented information to the Board. He was under the impression the Board would respond back to him, but he had not received a response.

**SCHENCK**

Chairman Schenck indicated he had not had an update from Mr. Holman due to the circumstances of the day, and Mr. Holman would be handling the matter.

**PALMER**

Mr. Palmer stated that his mother was concerned because Penn Waste was still sending her letters and she is in litigation. Mr. Palmer provided the second letter she received since she was involved in litigation. Mr. Palmer thought this matter was becoming one of harassment. He provided a copy of the letter to the Board in order to make them aware of the Penn Waste actions. He did not think it was appropriate that Penn Waste should be dealing with his mother during the litigation process.

**SCHENCK**

Chairman Schenck responded that the same applied to the Board members. The litigation is between his mother, the Judge and Penn Waste.

**York Town Development**

**LUCIANI**

Mr. Luciani reported that the York Town Development is a re-development of the Bon Ton Distribution Center. Meetings had been held last fall with the Township officials, and a sketch plan had been submitted to the Planning Commission. During one of the recent meetings a review was made of traffic issues. The developer proposed an attempt to obtain grant money to solve some of the off-site traffic improvements. A brief presentation had been planned to provide information to the Board. Mr. Luciani introduced Mr. Steve Evans, Director of Real Estate, High Real Estate Group.

**EVANS**

Mr. Evans explained that he is the Managing Director of the Retail Division of High Real Estate Group. He was present on behalf of York Town Center, LP, a joint venture of High Real Estate Group and CBL Associates Properties. He provided background information indicating that the two business entities had substantial interests in Springettsbury Township and are pursuing additional interests with the redevelopment of the Bon Ton Distribution Center. It is believed that the project can obtain funding for transportation infra-structure within the Township. The vision includes the establishment of a hybrid lifestyle power center and a community shopping center proposed as early as 2006. The final plans will be reviewed with the Planning Commission in February for initial consideration by the Board in March.

Mr. Evans stated that there are significant transportation and infra-structure issues related to water, sewer and utilities and preparation of site. They recognize that this project is situated such that it is in the heart of the regional transportation network in Springettsbury Township and that it serves people well beyond Springettsbury Township. They are aware that the Township has long been interested in and has sought to make improvements to the transportation infra-structure with what has been referred to as Concord Road Extension. He reported that Delta Development Group had been retained by the joint venture to pursue the procurement of funding for this project. They were asked to explore not only that but also to benefit the Township in a funding partnership with the Township. Mr. Luciani mentioned that meetings were held with the Township staff in exploring all of the impacts of the project and the challenges that the Township otherwise faces in terms of its transportation infra-structure. He provided the Board with brochures and introduced Scott Tachterman of Delta Development Group.

**TACHTERMAN**

Mr. Scott Tachterman of Delta Development Group stated that he served as Vice President of Development Services and had been

with the company for almost nine years. Prior to that he had worked for Senator Specter in his Harrisburg Regional Office covering 27 counties including York. He provided a brief overview of Delta and indicated that he is responsible for securing public funding and permanent approvals on behalf of public and private partnership projects. His focus is to secure federal and state funding incentives for economic development projects consistent with municipal land use planning with a broad local support, strong job creation and tax revenue enhancement. He stated that there are specific opportunities in terms of leveraging federal and state incentives that would directly benefit High and CBL's project but also would address some of the existing infrastructure conditions that face the Township. Those are summarized:

- PennDot's 12 Year Program and TIP process; difficult to get projects added and/or fully funded on the TIP. MPO's are strapped for cash.
- Congressional earmarked funding. T-Reauthorization window open. Request forms due February 7<sup>th</sup> in the House; later in the Senate.
- FY2006 Appropriations Bill – Late February/early March deadlines.
- Penn Works Program – Draft guidelines recently approved by DCED and the new CFA; specifically geared towards public sewer and public water infra-structure necessary for economic development. Applications will be accepted on a monthly basis beginning March.
- IFIP, an Infra-structure Facilities Improvement Program is a state tax increment financing program which can be channeled into annual state grants in order to retire local debt. Guidelines not yet issued.

Mr. Tachterman concluded that the possibility exists to obtain state economic development dollars to help with offsite transportation improvements and not be subject to the federal design process. He requested that the Board designate a point of contact or individual within the Township staff for them to work with in evaluating each opportunity on an individual basis and in the preparation of federal applications.

**LUCIANI**

Mr. Luciani stated that the direction he received from Mr. Holman was to request that the Board provide direction and a general motion indicating that the Township staff would work with the developer to try to find these grants.

**SCHENCK** Chairman Schenck stated that the Board members had received information from John Holman in their meeting packet and had gained a general idea of the potential. He added that the Township grants person, Teri Markley, should be very involved in the process. He was sure that same request would come through Mr. Holman in order to utilize her expertise in that area as well.

**MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP MANAGER AND STAFF TO EXPLORE AND PURSUE GRANTS RELATED TO INFRA-STRUCTURE IMPROVEMENTS SURROUNDING THE YORK TOWN DEVELOPMENT AND WORK WITH DEVELOPERS HIGH REAL ESTATE AND DELTA DEVELOPMENT TO MEET ANY DEADLINES THAT MAY COME UP RATHER QUICKLY TO GET THE TOWNSHIP IN LINE FOR GRANTS WITH THE UNDERSTANDING THAT THIS IN NO WAY IMPLIES ANY APPROVAL OF ANY PLAN THAT MAY OR MAY NOT COME BEFORE THIS BOARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported that they are still waiting for the final right-of-way from Kinsley for the Sandbank Hill property regarding the Eden Road Interceptor project. Messrs. Schober and Hodgkinson had a conference call with Tim Kinsley this week trying to get this jump started. Mr. Kinsley had other issues to be resolved and had agreed to a meeting with the Township. The BNR project started with contractors on site installing the piping and by-pass pumping electrical work. It is hoped that will be ready to run during the first week of February. Regarding the Barwood Sewer Project, a Public Hearing was held earlier this date.

**SCHENCK** Chairman Schenck asked whether Mr. Holman had the proposal for work on the Barwood study.

**SCHOBBER** Mr. Schober responded that Mr. Holman had that in his possession.

**SCHENCK** Chairman Schenck indicated that the Board would not be able to act on it until the next meeting.

**SCHOBBER** Mr. Schober stated that in the meantime he would contact some drillers in order to obtain some preliminary pricing from them to do some exploratory investigation.

**SCHENCK** Chairman Schenck suggested to discuss the project with Mr. Lauer as he was sure that he was knowledgeable about the area.

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

**PUC Hearing**

**LUCIANI** Mr. Luciani stated he submitted a long report and had two quick updates. He apologized for any miscommunication on the PUC Field Meeting. As he indicated in his report, the individual in charge of the meeting had a heart attack. Mr. Luciani had contacted the Township staff and people he knew had been invited from the Township's perspective. Unfortunately PennDot and Mr. Brassler, who traveled all the way from Philadelphia, showed up at the meeting. Mr. Luciani had not communicated the information to them, as he was under the impression the PUC would do so. Unfortunately, that did not happen. Mr. Luciani advised that the tentative date had been changed again, from February 9<sup>th</sup> to February 16<sup>th</sup> at 9 a.m.

**Route 30 Signage**

**LUCIANI** Mr. Luciani provided an update regarding the Route 30 signage. A meeting had been held with the business owners impacted by the Eden Road changes, the PennDot sign individual, Stan Saylor and Keith Gillespie. A commitment was made to the business owners to respond back to them within the next two weeks with an action plan. By working with PennDot and through some Board action, the business owners could be provided some better visibility because they have been impacted by the regional changes. The Harley project and the traffic changes had been completed quickly, and the business owners did not want to stand in the way of that progress. They had given up some of their rights to accommodate those changes.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of January 27, 2005**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE LISTING JANUARY 27, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Purchase Two (2) 2005 Crown Victoria Police Interceptor Police Cars with Light Bars and Prisoner Partitions at a cost not to exceed \$24,143 per unit for an aggregate cost not to exceed \$48,286.**

**SCHENCK** Chairman Schenck indicated item A covered a request to purchase two new police cars, which had been approved in the budget process. The manager requested authorization for two Crown Victorias at this time and he will evaluate the four wheel drive vehicle purchase later.

**MR. GURRERI MOVED TO AUTHORIZE THE PURCHASE OF TWO 2005 CROWN VICTORIA POLICE INTERCEPTOR POLICE CARS WITH LIGHT BARS AND PRISONER PARTITIONS AT A COST NOT TO EXCEED \$24,143 PER UNIT FOR AN AGGREGATE COST NOT TO EXCEED \$48,286. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck noted that the Addendum to the Marketing Agreement for Susquehanna Radio should be reviewed by Solicitor Rausch, and he provided that to him for that purpose.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-04-22 – Craig and Tammie Dallmeyer Subdivision**

**BELEN** Erika Belen provided background information as documented in a January 21, 2005 memorandum. The purpose of the plan was to subdivide an acre from lot 7B and add it to lot 7A. The land is currently R4 residential and is mostly open with patches of trees. It will remain as single family residential. The Planning Commission recommended approval of all waivers and conditions. Staff recommended approval of waivers and conditions as well. It was requested that the condition note on ‘payment of fee in lieu of land dedication for recreational purposes’ be removed. Solicitor Stacy McNeal recommended that because there are no additional lots being created with this subdivision the fee would not be required in this instance. Mrs. Belen provided photographs for review.

**SCHENCK** Chairman Schenck asked for clarification as far as adding the one line to create 7A.

**LUCIANI** Mr. Luciani responded that this would involve actually taking it from one property and adding to another. This subdivision was approved four years ago and adjoining lots had been developed. The owner of this lot tried to have his architect plan the house. He wanted a larger area on which to put a specific house so they want to move the property line over, and that’s effectively what would be done through this plan. No new building lots are being created;

one property line is simply being shifted to another to accommodate the architecture.

**MR. DVORYAK MOVED FOR APPROVAL OF SD-04-22, CRAIG AND TAMMIE DALLMEYER SUBDIVISION, THAT THE FOLLOWING WAIVERS AND MODIFICATIONS BE APPROVED:**

- **WAIVER OF SALDO §304 PRELIMINARY PLAN;**
- **WAIVER OF SALDO §305.2.N SHOWING EXISTING TOPOGRAPHY OF THE TRACTS;**
- **WAIVER OF SALDO §502.3 STREET WIDTHS;**
- **MODIFICATION OF SALDO §305.2.0 U.S. COASTAL AND GEODETIC SURVEY DATUM;**
- **MODIFICATION OF SALDO §407.1 CURBS TO INCLUDE A SIX MONTH NOTE ON THE PLAN;**
- **MODIFICATION OF SALDO §408.1 SIDEWALKS TO INCLUDE A SIX MONTH NOTE ON THE PLAN.**

**WITH REFERENCE TO SD-04-22, CRAIG AND TAMMIE DALLMEYER SUBDIVISION, MR. DVORYAK MOVED TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **SIGNATURES OF OWNERS.**

**MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop asked whether the curb and sidewalks notes were on the plans previously.

**LUCIANI** Mr. Luciani responded that the notes were on the original plan; when the original 4 or 5 lots went in they were added.

**MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS**

There were no communications from Supervisors.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**SCHENCK** Chairman Schenck stated that everyone had received the Manager's Report in their packet. If there are any specific

questions he suggested that they be held and/or passed to Dori Bowders for action.

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

**A. Ordinance 05-03 – Relocating, Adopting and Vacating a Portion of Eden Road**

**RAUSCH**

Solicitor Rausch commented that, along with approving the Ordinance for relocating Eden Road, an agreement will be attached as part of the Ordinance.

**MR. BISHOP MOVED TO ADOPT ORDINANCE 05-03 RELOCATING, ADOPTING AND VACATING A PORTION OF EDEN ROAD AND AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIALS TO EXECUTE THE AGREEMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 05-32 – Appointment of Sager, Swisher and Company, LLP as the Township’s Certified Public Accountants for year ending December 31, 2004.**

**MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 05-32 – APPOINTMENT OF SAGER, SWISHER AND COMPANY, LLP AS THE TOWNSHIP’S CERTIFIED PUBLIC ACCOUNTANTS FOR YEAR ENDING DECEMBER 31, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-33 – Establishing Professional Fees for Subdivision and Land Development Plan Review and Inspections of Public Improvements.**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-33 ESTABLISHING PROFESSIONAL FEES FOR THE SUBDIVISION AND LAND DEVELOPMENT PLAN REVIEWS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-34 – Establishing Escrow Accounts for Professional Fees for Subdivision and Land Development Plan Review and Inspections of Public Improvements.**

**SCHENCK**

Chairman Schenck commented that item C would set the rate, but he was concerned about the escrowing and the minimums. The High development was not an issue, but on the other hand, the Dallmeyer subdivision involved moving a small property line and under this they would have to escrow \$1,500 before their application would be accepted. Chairman Schenck indicated he

had no problem with setting a fee, \$130 an hour, but he was concerned about the minimum escrow.

**RAUSCH** Solicitor Rausch wondered why there would be a \$1,500 minimum in consideration of only one lot.

**SCHENCK** Chairman Schenck stated that was the whole issue. He thought the Board should think through the circumstances.

**DVORYAK** Mr. Dvoryak commented that the \$1,500 is a minimum for the plan review. Then the inspection will cost an additional \$5,000 just to have a lot line moved.

**SCHENCK** Chairman Schenck asked whether the iron pins are inspected.

**LUCIANI** Mr. Luciani responded that the iron pins are inspected. An option is given if someone is just moving a lot line to set the pins prior to the final plan recording or until the Board acts. If they don't have the pins set before recording, then they are required to bond to set the pins. He added that one of the items reviewed was the number of lot line changes during the past year, which were very minimal.

**SCHENCK** Chairman Schenck asked whether there had been any difficulty collecting the fees and whether that was the reason for wanting to escrow the funds.

**LUCIANI** Mr. Luciani responded that there had been some difficulty with one specific developer who historically had raised issues with the Township. He thought Mr. Holman's concern was to make sure there was an escrow account to cover any unpaid costs. During a work session, the \$1,500 was established as a first effort.

**BISHOP** Mr. Bishop commented that he could understand escrowing in order to track the amount of work to be done, which as a minimum would need to be reimbursed.

**SCHENCK** Chairman Schenck suggested that a schedule would need to be established. He commented that the Resolution did a great job at addressing the big projects, which is where the concerns are. His concern was for the flip side for the smaller projects that would put an undue burden on them.

**RAUSCH** Solicitor Rausch suggested the possibility to put a minimum on residential subdivisions, a potential figure of \$1,500 for 7 lots; for over 7 lots more than that the plan would not be recorded until the fee would be paid. The Township obligation under the code is to itemize the billing and address that on a regular basis.

**LUCIANI** Mr. Luciani stated that he would have to report back to Mr. Holman. He will communicate that there is a need to accommodate the smaller projects.

**GURRERI** Mr. Gurreri liked Solicitor Rausch's suggestion for a specific amount of lots, etc.

**Consensus of the Board was to hold action for further review.**

**E. Municipal Police Department Speed Enforcement Intergovernmental Agreement with the Pennsylvania State Police**

**MR. BISHOP MOVED TO RATIFY THE AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP POLICE FORCE AND THE PENNSYLVANIA STATE POLICE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Approval of Deed of Dedication and Contribution Agreement with Newman-Tillman Properties, LLC**

**RAUSCH** Solicitor Rausch assured Chairman Schenck that he had reviewed the agreement.

**MR. GURRERI MOVED TO APPROVE THE DEED OF DEDICATION AND CONTRIBUTION AGREEMENT WITH NEWMAN-TILLMAN PROPERTIES, LLC. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Resolution 05-31 – Recognition of Lynn Bortner**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 05-31 RECOGNIZING THE SERVICE OF LYNN BORTNER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Reorganization Meeting – January 4, 2005**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REORGANIZATION MEETING, JANUARY 4, 2005, AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Public Hearing – January 13, 2005**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES FROM THE PUBLIC HEARING OF JANUARY 13, 2005. MR. GURRERI WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT PRESENT.**

**C. Board of Supervisors Regular Meeting – January 13, 2005**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING, JANUARY 13, 2005 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**SCHENCK** Chairman Schenck provided the information given to him by Dave Palmer regarding Penn Waste.

**14. NEW BUSINESS:**

**A. Authorization to Advertise Solid Waste Ordinance Amendment**

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISING THE SOLID WASTE ORDINANCE AMENDMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of December 31, 2004 Treasurer’s Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE DECEMBER 31, 2004 TREASURER’S REPORT WITH NOTICE THAT THE TREASURER IS NOT PRESENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck reported that he had a discussion with Mr. Hadge to inquire about the funding for the Barwood Sewer project. He stated that the Treasurer’s Report showed that the Sewer Fund has a total balance of almost \$8 million. Of that \$2.5 million is restricted or set aside for the shared projects at the plant, which leaves \$5.4 million essentially for the Township’s use. Of that \$1.5 million will be spent for the Township’s share of the Bio-Nutrient project. There is some money available if part of the formula needs help in a particular area, whether it would be underwriting part of the engineering costs or possibly underwriting or waiving the tap in fees. Mr. Hadge was uncomfortable with reporting the Sewer Fund balances.

**RAUSCH** Solicitor Rausch stated that the record should reflect that

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**HODGKINSON** Mr. Hodgkinson added that the project was budgeted in 2005 in the amount of \$360,000.

**SCHENCK** Chairman Schenck stated that it would come out of the reserves up front so everybody understands. On the proposed schedule it would be paid back over 20, 30, 40 years, whatever the Board would choose.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:20 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JANUARY 27, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 27, 2005 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  
Nick Gurreri  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
Mark Hodgkinson, Director of Wastewater Treatment  
Jim Baugh, Director of Community Development  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:35 p.m. He explained that the purpose of the meeting was to provide information concerning the Barwood Sewer Project. He stated that Mike Schober of Buchart-Horn, Inc. would provide an overview of that project and its current status. He indicated there would be a time for questions and answers following the presentation.

**2. BARWOOD SEWER PROJECT:**

**SCHOBBER** Mr. Schober provided an overview of the project with a short Power Point presentation. He revealed the location of the project on Barwood, Mt. Zion and Overview. He indicated that Overview, which is downhill from Barwood, has existing sewer. One of the goals is to get the sewer to Barwood and then run down hill to Overview. Gravity options would require obtaining some rights-of-way as well as require significant wetlands and stream crossings. In addition, a review had been made of a pump station option. It will be necessary to obtain detailed design with surveys. The Conventional Gravity System would be less expensive to build and less expensive over the long term because the gravity system lasts longer and pumping systems have higher maintenance costs. He provided the following estimates:

Conventional gravity System	\$360,000
Pumping System	\$500,000

Costs are project costs for engineering and construction and do not include the cost for the homeowner to do the connection on their property from their house to the sewer. There are about 15 property owners that will be impacted. Each household will incur a significant cost.

A synopsis of resident comments and questions follows:

- Concern of the depth of the sewer line in the street. This will vary from 8 to 20 feet.
- The number of homes involved is approximately 15 homes. Some additional (4) undeveloped lots could be included in the mix.
- How much rock is involved and would there be core drilling? Planning stages should reveal what is necessary.
- How much will be known before a decision is made to move ahead? Next step is a detailed survey and design in order to know the depths and do exploratory drilling paid by the Township. Township to authorize actual engineering; cost of proposed engineering is about \$30,000
- Sand mound would be less expensive than attaching to the sewer system. Scheduled out 30, 40 years the sewer bills would probably be about \$200 to \$300 per quarter.
- Who pays? Actual homes or the property owners? Sometimes it is paid by street frontage, a potential consideration.
- Excavators, who to call and the cost in consideration of all the rock? Residents should get together and hire the same excavator to do the work.
- Residents want more details before saying yes.

**HODGKINSON**

Mr. Hodgkinson stated that some of the reason for the meeting was to let the people of Barwood know that in the original meeting there were two or three residents who came to the Township and requested that the Township look into this. Out of all that area there are 10 homes that have failing septic systems. There are four or five vacant lots that don't Perc or Probe for sand mounds. Mr. Hodgkinson did not know whether a threshold had been met where the Department of Environmental Protection would mandate that the Township has to sewer that area. If the Township does not sewer and people fix their septic systems and continue to have problems there is always that mandate possibility from the state after people put a ton of money into their septic systems, if at all their system could be fixed, and then have to tie into the sewer. Other people's systems might be working fine now. The soil of the area is conducive to the failing systems being able to be fixed.

**SCHENCK**

Chairman Schenck indicated that the goal is to keep the residents as close to the project stages as possible. As far as costs, Mr. Schober had indicated that it is somewhat at the Township's discretion how the costs are allocated. Past practice in Springettsbury was that the people benefiting from the system pay for it. It's generally done over a long schedule, for instance 10, 20, 30, 40 years in order to spread that cost. It creates interesting comparisons where some areas have a very minimal sewer bill because of when their project was built and other projects have a much higher sewer bill. That's something the Township needs to review. A couple other potential costs to be aware of are obviously the physical connection. The homeowner will bear the cost of that with hiring a contractor to actually put the connection into the home. The Township has a tap in fee, which is basically a cost to connect to the sewer to help pay for the system which is about \$2,100. Again that is subject to the Township's evaluation of that. It was important to keep everyone as close to the project as possible, in order to avoid any surprises. Chairman Schenck indicated that input from the residents is important, even to the cost. The Township will eventually have to create an Ordinance, which they want to do with the resident's suggestions. Chairman Schenck suggested a review with Charlie Lauer, who had been involved and knows where everything is located in that area.

**3. ADJOURNMENT:**

**SCHENCK**

Chairman Schenck thanked the residents for coming and for their input. He adjourned the meeting at 6:59 p.m.

Respectfully submitted,

John J. Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 13, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 13, 2005 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT IN ATTENDANCE:** Don Bishop

**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  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri called for a Moment of Silence for victims of the Tsunami.

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that the Board held an Executive Session at 6 p.m. this date regarding personnel and litigation matters. He added that an open meeting had been held with some potential candidates for various boards on the Township.

**3. COMMUNICATION FROM CITIZENS:**

**Township Website Updates**

**STUHR** Mr. Charles Stuhr, 2680 Trout Run Road, commented that he had visited the Springettsbury Township website at 6 p.m. this date, and the most recent posting of Township meeting Minutes was for September. He asked how a citizen could learn what is going on if the Minutes are not posted for the previous three months. He requested that the Agendas and the Minutes be updated. Additionally, he looked for the Agenda for the Comprehensive Plan Committee, which is only two weeks away, and he could not find that. He would like to be prepared for the subject of discussion.

**HOLMAN** Mr. Holman stated that the agenda for the Comprehensive Plan Committee will not come out for another week. He reported that a meeting had been scheduled for January 14<sup>th</sup> with staff, and the Agenda will be issued following that meeting. Mr. Holman added that if Mr. Stuhr would like to have the Agenda e-mailed to him, to see Mr. Baugh.

**STUHR** Mr. Stuhr stated that several of the citizens in the area are attempting to get together to brainstorm. They do not want to be discussing items that are not on the agenda; rather, they want to input into the subjects on the Agenda.

**HOLMAN** Mr. Holman indicated that for the public portion they really are looking for input on other issues as well.

**STUHR** Mr. Stuhr stated that the residents need to know where they're headed, i.e., the discussion plans.

**HOLMAN** Mr. Holman promised to have the Agenda issued, and the Minutes will be placed on the website.

**SCHENCK** Chairman Schenck thanked Mr. Stuhr for his comment on the Minutes. He stated that there is a slight lag due to the fact they can't be posted until they're approved. The way the meetings cycle, a month lag would be normal.

**Palmer vs. Penn Waste**

**PALMER** Mr. Dave Palmer, 2640 North Sheridan Road, thanked Mr. Holman for his letter, which he had not had an opportunity to completely review. He commented on the fact that he had attempted to determine all the charges brought forth against his mother, but he had been unable to do so. He suggested a committee to review the billing practices of Penn Waste. He suggested that his mother be placed on the Recycling Committee

due to her expertise in the matter. He noted that according to the contract, the Township has the right to waiver any interest charges. He provided some additional documentation for review.

**SCHENCK** Chairman Schenck asked Mr. Palmer whether he was formally requesting on his mother's behalf that the Township get involved in waiving the late fees.

**PALMER** Mr. Palmer responded that he was correct, yes.

**SCHENCK** Chairman Schenck asked Solicitor Rausch whether that would be the proper venue, because the matter currently is involved in litigation.

**RAUSCH** Solicitor Rausch asked about the status of the lawsuit.

**PALMER** Mr. Palmer responded that a public hearing will be held at the District Magistrate's office on February 4, 2005 at 10:30 a.m.

**HOLMAN** Mr. Holman stated that he would take that for action with the Solicitor and report back to the Board.

**SCHENCK** Chairman Schenck stated to Mr. Palmer that he was trying to honor his request, but at the same time he wanted to make sure that it was done correctly.

**RAUSCH** Solicitor Rausch indicated that Mr. Wagner will have to prove all his charges that he is asking. If he can't justify the charges, he's not going to get them.

**PALMER** Mr. Palmer indicated they would like representation but had been unable to find someone to represent them. He will attend the hearing, but he's not trained as an attorney. Mr. Palmer stated that Penn Waste had withdrawn suits before. He hoped that the Board could ask Mr. Wagner to withdraw the suit.

**SCHENCK** Chairman Schenck stated that his main concern was that Mr. Palmer would not take anything that occurred during a Township meeting as legal advice or guidance.

**PALMER** Mrs. Clara Palmer, presented some documentation to give the Board some idea of what the issue was all about.

**STUHR** **Penn Waste – Large Item Pickup**  
Mr. Charles Stuhr commented on the new program being implemented by Penn Waste, large item pickup. Every week the

Township looks terrible because of the water heaters, busted toilets, chairs, mattresses. The residents see this every week all year long. He suggested in the future to revert back to the old way of having one large item pickup in the spring and one in the fall to get the cleanups done once and for all.

**SCHENCK** **Garbage Contract Meetings**  
Chairman Schenk indicated there would be a series of public meetings starting on March 16<sup>th</sup> to begin reviewing the entire garbage contract.

**HOLMAN** Mr. Holman stated the meeting will be held on March 16<sup>th</sup> starting at 6 p.m. There will be a notation in the newsletter.

**SCHENCK** Chairman Schenk stated that he had heard from Mr. Bishop and he will be late and possibly not at all due to some personal commitments.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober thanked the Township for the re-appointment of Buchart-Horn as Environmental Engineer. He reported that the construction projects at the plant are completed. There are a number of applications for payment for consideration later on the Agenda. An update to the BNR contract for the full-scale testing will be considered; if approved, they will begin tomorrow to get the contractors and equipment underway. He indicated that he was working with Mr. Holman in reviewing a proposal to use some ash fill for the pistol range. In addition, work is being done with Mr. Hodgkinson on a toxicity reduction evaluation being required by DEP at the Wastewater Treatment Plant.

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

**LUCIANI** Mr. Luciani reported that he had provided a progress drawing for the HOP work at Sheridan and Mundis Mill. A traffic signal Resolution is scheduled for action later in the meeting. The plan includes the signal drawing itself. It includes sidewalks extending from Sheridan Road west almost to the bridge. With a better drawing Mr. Luciani will be able to put a budget together. In addition, he pointed out that a field meeting had been held and they were able to do 99.9% of the work all within the right-of-way. There are no pedestrian facilities near Mr. Bill Carter's property. The pedestrian facilities will be adequate to get students to and

from Central High School, and work is being done diligently to get approval by the Department. He projected to have a budget and construction in the spring. Additionally, Mr. Lauer had some left over signal equipment which could be used.

**GURRERI** Mr. Gurreri wondered whether they would meet further up the road on the curve.

**LUCIANI** Mr. Luciani responded that he had not heard anything further about that. There will be a detour for Central, and it effectively will skip a year.

**HOLMAN** Mr. Holman confirmed that it will skip a year because the detour will hit this summer. Only one approval for right-of-way was received.

**SCHENCK** Chairman Schenck asked about the project on East Market Street at the Turkey Hill.

**LUCIANI** Mr. Luciani did not think it was an issue. He had discussed the matter with Solicitor Rausch and Mr. Baugh. They will have to get back to their attorney. Penn Dot's position is that their HOP was issued with signal. There is a lot of work to be done in that area.

**SCHENCK** Chairman Schenck noted that, Mr. Luciani was briefing the Board, but the issues are between PennDot and the developer.

**LUCIANI** Mr. Luciani stated that there is some Township involvement because the Township granted Land Development approval; a Building Permit and eventually Mr. Baugh's office will issue Occupancy Permits. The Turkey Hill store is close to completion with no roadway adjoining it.

**RAUSCH** Solicitor Rausch stated that he has had correspondence with Turkey Hill's attorney, and their position is that the Land Development Plan did not include having to have a light installed at Cinema Drive and making left-hand turns onto Market Street. Their attorney sent him the HOP that Tim Pasch had received, but didn't send all of it. The second page was actually comments which included that there would be no work done in the right-of-way until the signal light was installed. Solicitor Rausch had faxed all of it back and had not yet heard from him.

**LUCIANI** Mr. Luciani stated he was sure that was not the end of it and that they would want to discuss it with the Board.

**5. ACCOUNTS PAYABLE:**

- A. Johnston Construction – Solids Handling Contract – Application for Payment No. 18 in the amount of \$55,711.75 (final payment).**
- B. T-A-H Construction – Bar Screen & Septage Receiving Station – Application for Payment No. 9 in the amount of \$39,737.10**
- C. Kinsley Construction, Inc. – Eden Road Relocation Project – Progress Billing No. 5 in the amount of \$175,231.37**
- D. Regular Payables as Detailed in the Payable Listing of January 13, 2005**

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

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

- A. Animal Control Contract – Hemler Animal Control Service**

**HOLMAN** Mr. Holman stated that a question previously had been raised as to a clause in the agreement regarding the baseline for the gas prices. Mr. Hemler advised that the base line will start at \$1.80 per gallon for regular. Gas would have to go over \$2.10 before the clause would be invoked. Mr. Hemler did remind Mr. Holman that he has never had to do so.

**SCHENCK** Chairman Schenck asked Mr. Holman if he was comfortable with that.

**HOLMAN** Mr. Holman responded that he was comfortable.

**BOWMAN** Mr. Bowman questioned whether the Township was currently under any contract.

**HOLMAN** Mr. Holman responded that at this time it would be a continuation of the old contract.

**MR. DVORYAK MOVED TO APPROVE THE ANIMAL CONTROL CONTRACT WITH HEMLER ANIMAL CONTROL SERVICE. MR. BOWMAN WAS SECOND.**

**GURRERI** Mr. Gurreri commented that it is a good service to have for the animals.

**MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise for Receipt of Sealed Bids for Real Property – Tax ID #46-6-915 & 196, 1400 Block of North Sherman Street**

- SCHENCK** Chairman Schenck commented that the item called for advertisement for receipt of sealed bids.
- HOLMAN** Mr. Holman stated that it could be sealed bids or for auction for the property next to the Rutters on Sherman Street.
- GURRERI** Mr. Gurreri asked what it cost to take bids.
- HOLMAN** Mr. Holman responded approximately \$160.00. It depended on the size of the ad. This item will be mailed to all the realtors that the property is available.
- SCHENCK** Chairman Schenck stated that at \$160, there is still the right to refuse any bid. There had been discussion of a minimum bid, which was set by the appraiser at \$42,000, assuming the Board approves the change of zoning. It is a buildable lot.

**MR. BOWMAN MOVED FOR AUTHORIZATION TO ADVERTISE TO RECEIVE SEALED BIDS FOR REAL PROPERTY, TAX ID #46-6-915 & 196, 1400 BLOCK OF NORTH SHERMAN STREET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Increase Amount for BNR Study to \$246,966**

- HOLMAN** Mr. Holman stated that this item was funded through a grant. Mr. Schober is ready to complete the project for the final balance. The total amount of the grant is \$247,500; the increase requested is \$246,966 to complete the remainder of the work.
- SCHENCK** Chairman Schenck observed that the amount is still under the amount of the grant.

**MR. DVORYAK MOVED TO APPROVE AN INCREASE IN THE AMOUNT OF THE BNR STUDY TO \$246,966. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization for Purchase under State Cooperative Purchasing Program – Purchase of John Deere Farm Tractor for an amount not to exceed \$104,853.60**

- SCHENCK** Chairman Schenck asked whether the item had been budgeted.
- HOLMAN** Mr. Holman responded it had been budgeted in the amount of \$105,000 within the sewer capital budget. The amount of the requested purchase is \$104,853.60.

- DVORYAK** Mr. Dvoryak commented that potentially this would solve 20% of the problem that remains.
- HODGKINSON** Mr. Hodgkinson responded that the tractor is bigger than the one purchased in October. The smaller tractor will become the secondary, and the larger one will become primary tractor/spreader. The secondary tractor/spreader will then make up the difference.
- DVORYAK** Mr. Dvoryak asked whether any consideration for leasing had been given.
- HODGKINSON** Mr. Hodgkinson indicated he had not looked into leasing.
- DVORYAK** Mr. Dvoryak asked whether the equipment would be used 12 months a year or five days a week.
- HODGKINSON** Mr. Hodgkinson responded that the equipment is currently used 700 to 800 hours and handles 80% of the work. The new tractor will run 700 to 800 hours as well.
- HOLMAN** Mr. Holman added that it would be used in harvesting some wood out of the Tree Farm.
- HODGKINSON** Mr. Hodgkinson stated that it would provide preparatory work for tree harvest. The program for composting and land application relies on Mother Nature. Hauling to the farms is done nine months out of the year. There is a big push in the spring when the farmers want to get their crops planted. It is the window where difficulties occur due to time and equipment constraints keeping up with the trucks. This spreader will provide for a better operation and make up at least 5%. A comparison of composting prices versus land application prices reveals it is twice as expensive as compost. By attaining 5% more for the land application, the tractor will pay for itself in four years.
- DVORYAK** Mr. Dvoryak was satisfied with the fact that the payback could be seen in four years.
- HODGKINSON** Mr. Hodgkinson stated that with the 16,000 tons generated at around \$35.00 a ton to compost and \$18.00 a ton to land apply, 5% would add up.
- GURRERI** Mr. Gurreri commented that Mr. Dvoryak had asked good questions, and by flip flopping it the new one takes over most of

the time so it wouldn't pay to lease that. The leasing might be a good idea for next time.

**HODGKINSON** Mr. Hodgkinson stated that one item he had not included in his memorandum was the reason the tractor is so expensive is that it's a small tractor, 170 horsepower tractor. The current manure spreader weighs 30,000 lbs, 15 tons.

**MR. GURRERI MOVED TO AUTHORIZE FOR THE PURCHASE, UNDER STATE COOPERATIVE PURCHASING PROGRAM, PURCHASE OF JOHN DEERE FARM TRACTOR FOR AN AMOUNT NOT TO EXCEED \$104,853.60. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-04-18 – Newman-Tillman Properties, LLC (Walgreens) Time Extension to 2/28/05.**
- B. LD-04-13 – Newman-Tillman Properties, LLC (Walgreens) Time Extension to 2/28/05.**
- C. LD-04-14 – York County Prison Time Extension to 2/28/05**

**MR. DVORYAK MOVED TO ACCEPT SUBDIVISION/LAND DEVELOPMENT GRANT OF TIME EXTENSION ITEMS A THROUGH C. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported he had a pleasant situation where a resident on Kingston was very happy that the Township had replaced his curb and sidewalk on the corner. He wanted Mr. Gurreri to thank Mr. Holman for getting it done.

**HOLMAN** Mr. Holman indicated that Mr. Lauer should be thanked as well, because he had kept the contractor going through the winter.

**GURRERI** Mr. Gurreri commented on the holiday cards sent out by David Wendel. He learned that he sent the cards out to the 60 people who worked for him, and he made the cards on his computer at a cost of \$45.00. Mr. Gurreri commended him for being so frugal with Township money.

**SCHENCK** Chairman Schenck reported he received two items of correspondence, which he had provided to Mr. Holman. He asked Mr. Holman to respond briefly with a thank you for the information provided to the Township on snow removal.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch indicated he had only one item to report for clarification on the A.A.Myers matter, which was placed on the Mediation schedule in March. He is attempting to get that lawsuit resolved.

**10. MANAGER'S REPORT:**

**HOLMAN** **Barwood Sewer Project**  
Mr. Holman asked the Board to schedule a Work Session for 6:30 p.m. on January 27 for Barwood Road Sewer project. They had completed most of the preliminary work and received inputs from the residents. A Work Session would include a presentation by Mike Schober and a time for public comment. Following the initial meeting he had received positive feedback from most of the residents.

**SCHENCK** Chairman Schenck asked specifically what the meeting would include, for instance, what will be built, or how to pay for it. The options for how to cover the costs had not been discussed.

**HOLMAN** Mr. Holman responded that his report does provide several options. There is some difficulty providing specific costs because there is a need for engineering plans and specifications. At this point, the question is whether or not to take on the cost of doing the engineering in order to get a very detailed cost figure. He estimated that the engineering would cost approximately \$52,350. He had received reports back from 80% of the residents who are in favor and 20% are not. Most of it has to do with the cost.

**SCHENCK** Chairman Schenck noted that there are several different ways the residents can pay for those costs. He thought the Board should explore the costs and options for payment further before presenting that to the residents. In other projects like this considerable time was spent figuring out how to pay the costs.

**BOWMAN** Mr. Bowman asked how it had been accomplished in the past and whether Mr. Schenck had a pretty good idea of how to go about that.

**SCHENCK** Chairman Schenck responded that there had been numerous discussions and options reviewed. Surplus funds were used to underwrite parts of the project. It was spread over 30 years. Other sewer districts were created. Figuring out how to pay for it was, for the Board, the hardest part of the whole project. It wasn't the

hard work that Mr. Schober is doing; it's how are the residents going to bear the cost. On a short project there's not a lot of homes to spread it over, but he assumed this project would involve a pretty big number.

**HODGKINSON** Mr. Hodgkinson stated that Rocky Ridge was the last project. The residents pay for 25 years, and their sewer bills, instead of being \$50 to \$60 a quarter, are \$200 a quarter.

**SCHENCK** Chairman Schenck added that the Board has to know that the Township will have to provide the funding, and determine whether to bond those funds.

**HOLMAN** Mr. Holman indicated that, within his report, are questions concerning underwriting the cost of engineering, the preliminary cost, the cost recovery, etc. He added that a review had been made of the gravity system, which was less expensive.

**SCHENCK** Chairman Schenck agreed to have a public meeting on January 27<sup>th</sup>, at 6:30. He suggested careful review be made before suggesting any final direction on the funding. He asked where the Township would get the money.

**HODGKINSON** Mr. Hodgkinson stated that the money is available as surplus in the Springettsbury Sewer Capital Improvement Fund.

**SCHENCK** Chairman Schenck recalled that when Rocky Ridge was done, the sewer fund underwrote a portion of that project. He did not think the residents paid 100% and there are some options available.

**HODGKINSON** Mr. Hodgkinson commented that a number of the lots have failing systems; some do not. DEP hasn't directed the Township to provide sanitary sewer. When some septic systems fail and the resident spends \$20,000 for a new system and then has to hook up to a new sewer system, that would create problems.

**HOLMAN** Mr. Holman indicated that the next step would be to have the Board approve the professional services for engineering with Buchart Horn.

**Consensus was to have a public meeting on January 27, 2005 at 6:30 p.m.**

**GURRERI** **Costs for Tree in the Park**  
Mr. Gurreri stated he had seen an item for \$5,400 to transplant a tree and \$600 for a Blue Spruce tree, which amounted to \$6,000

for a tree in the park. His understanding was that \$3,500 would be spent to put the tree in, and if it died they would replace the tree. In a report it was stated the reason for the failure to the existing tree was the need for a crane service. He asked whether they knew they needed to use a crane service.

**HOLMAN**

Mr. Holman responded that the crane was used, but the tree root collapsed when it came up. They had to stop and get another crane resulting in an increase in expense. He did not believe the Township was to pay for the \$600 for the new tree. Mr. Lauer is working on that to get it cleared up. It was a chance taken to move the Blue Spruce, but they weren't able to save it.

**GURRERI**

Mr. Gurreri stated that it was commendable to save a tree. The proposal was signed back in July, but the increase did not show up until December. He thought the Board should be informed about such items.

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

**A. Ordinance No. 05-01 – Establishing Maximum Speed Limits – Whiteford Road between Mt. Zion Road and Williams Road.**

**BOWMAN**

Mr. Bowman asked what the current speed limit.

**ESHBACH**

Chief Eshbach responded that there is no posted speed limit; therefore, by the nature of the roadway it's 55 miles an hour but unenforceable because it's not posted. This will establish a 35 mile an hour speed limit.

**MR. BOWMAN MOVED FOR APPROVAL OF ORDINANCE 05-01 ESTABLISHING MAXIMUM SPEED LIMITS, WHITEFORD ROAD BETWEEN MT. ZION ROAD AND WILLIAMS ROAD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 05-02 – Amending the Zoning Ordinance, Modifying and Altering the Zoning Map of the Zoning Ordinance**

**SCHENCK**

Chairman Schenck stated that a Public Hearing had been held earlier this date for public comment. York County recommended approval, and one person commented in favor of the request.

**GURRERI**

Mr. Gurreri commented that the piece of property had been a gift, which was thought not to be valuable, and now is worth approximately \$42,000.

**MR. BOWMAN MOVED TO APPROVE ORDINANCE 05-02 AMENDING THE ZONING ORDINANCE MODIFYING AND ALTERING THE ZONING MAP OF THE ZONING ORDINANCE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 05-26 – Amending Fee Schedule for Sewage Enforcement Officer**

**MR. GURRERI MOVED FOR APPROVAL OF RESOLUTION 05-26 AMENDING THE FEE SCHEDULE FOR SEWAGE ENFORCEMENT OFFICER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 05-27 – Establishing Treasurer Bond**

**DVORYAK** Mr. Dvoryak questioned whether a \$2 million bond was adequate when Mr. Hadge generally manages \$3 million investments.

**HOLMAN** Mr. Holman stated that the auditors and the CPA had reviewed the bond and confirmed that it is adequate.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 05-27 ESTABLISHING THE TREASURER BOND FOR \$2 MILLION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 05-28 – Authorizing Stipend Payment for Planning Commission in the amount of \$150 per member.**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 05-28 AUTHORIZING STIPEND PAYMENT FOR PLANNING COMMISSION IN THE AMOUNT OF \$150 PER MEMBER. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 05-29 – Authorizing Application for MPOETC Training Grant.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-29 AUTHORIZING APPLICATION FOR MPOETC TRAINING GRANT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Authorizing to Enter into Agreement with the District Attorney of York County for York County Quick Response Team**

**SCHENCK** Chairman Schenck asked whether the agreement had been reviewed. He assumed it had not changed from previous agreements.

**ESHBACH** Chief Eshbach responded that the name has changed from the original but the language is same.

**HOLMAN** Mr. Holman stated he had reviewed the old agreement. They do match up except for the name.

**DVORYAK** Mr. Dvoryak indicated that the agreement specifies that the Township supply full time officers but does not specify a number of officers. He asked whether it would be wise to put a number in the agreement in order to cap the number of officers committed to the programs, given some of the current constraints.

**ESHBACH** Chief Eshbach responded that two officers had been assigned and currently only one is assigned. A second officer is testing to become part of it. He added that it all depended what current manpower needs are within the Township.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH THE DISTRICT ATTORNEY’S OFFICE OF YORK COUNTY FOR YORK COUNTY QUICK RESPONSE TEAM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri congratulated Chief Eshbach for his involvement in the racial profiling, which he had read in the local newspaper.

**H. Authorization to Enter into Agreement for Right-of-Way and Temporary Construction Easement (Stonewood Road at Eastern Boulevard) with Kinsley Construction.**

**HOLMAN** Mr. Holman stated that this action will allow for the completion of the gravity line for Eden Road and take the pump station out of service resulting in cost savings when the project is completed. He added the Township’s appreciation for Kinsley, Harley and the County for this project.

**MR. DVORYAK MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT FOR RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT (STONEWOOD ROAD AT EASTERN BOULEVARD) WITH KINSLEY CONSTRUCTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Resolution 05-30 –Standard State Application to put Traffic Lights on Mundis Mill Road and Sheridan**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 05-30 FOR A TRAFFIC LIGHT AT MUNDIS MILL ROAD AND SHERIDAN ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – November 12, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION NOVEMBER 12, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Work Session – November 17, 2004**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION NOVEMBER 17, 2004 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Board of Supervisors Work Session – December 6, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS WORK SESSION DECEMBER 6, 2004 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.**

**D. Board of Supervisors Regular Meeting – December 9, 2004**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE DECEMBER 9, 2004 MEETING AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**GURRERI** Mr. Gurreri commented that during Pension Board stated meetings the Chief Administrating Officer took the minutes. The plan is to have a recorder here to take the minutes, and it's going to be expensive. The meetings are not long.

**HOLMAN** Mr. Holman responded that the expense goes against the Pension Fund itself for taking the minutes, which should be formal minutes. It really should not be an informal meeting. We're dealing with \$8 million in one fund, and close to \$2 million in another one of the funds. Mr. Holman thought it was important to maintain accurate and correct minutes throughout the meetings. Jean Abreight is going to come in and take the minutes for that. Each time this Board meets they should approve the minutes from the previous

Board meeting. Also there are some actions the Board should be taking, such as a retirement taking place, they should confirm the calculations and everything that comes back from the actuary and from the Township. There are certain things that need to be done within a pension fund. The Board has been doing a good effort of keeping up on the fund, but there is a need to make sure to provide the best possible quality management of these funds.

**GURRERI** Mr. Gurreri was satisfied with Mr. Holman's explanation.

**14. NEW BUSINESS:**

**SCHENCK** Chairman Schenck stated that there are some appointments that need action, such as the potential appointment of Mr. William Greenewalt to the Recycling Board and candidates for the Joint Fire Services Board

**MR. GURRERI MOVED TO APPROVE WILLIAM GREENEWALT TO THE RECYCLING COMMITTEE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck asked for the Board's direction concerning the Joint Fire Services Board resulting from interviews held earlier during the evening.

**DVORYAK** Mr. Dvoryak stated that Mr. Englerth would make a great addition as the regular contributing member of that committee, and Mr. Langeheine, because of some of the time constraints he mentioned due to his job, would make a good alternate. He asked Chairman Schenck if he thought that would provide expertise to the committee.

**SCHENCK** Chairman Schenck responded that was the ultimate question. He knew some of the qualifications of the candidates for Spring Garden.

**DVORYAK** Mr. Dvoryak recalled mention of an individual with strong financial background, which he felt was important.

**SCHENCK** Chairman Schenck added that he had hoped for someone with some business merger-type experience; however, he would be pleased with having Mr. Englerth, who is a Project Manager on Board.

**MR. DVORYAK MOVED FOR THE APPOINTMENT OF THOMAS B. ENGLERTH, II, REGULAR COMMITTEE MEMBER, AND TODD M.**

**LANGEHEINE, ALTERNATE COMMITTEE MEMBER, TO THE JOINT FIRE SERVICES COMMITTEE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**A. Pistol Range: Utilizing Stabil Fill, Incinerator Ash, to Reduce Cost of Project**

**SCHENCK** Chairman Schenck asked whether all the information had been provided to the Board.

**HOLMAN** Mr. Holman responded that he had just received the information and had not passed it along to the Board. Chief Eshbach indicated he was looking for alternative means to reduce the cost of the project. A review was needed to see how much this actually would do so. There are certain deed restrictions that would have to go on the property and a question exists as to whether or not it's in the 100 year flood plane. Mr. Schober is reviewing this because it is close to the sewer treatment plant and relatively close to the Codorus Creek. He wanted to be sure of any constraints regarding use of the ash and whether the cost was beneficial enough to offset any constraints. He appreciated Chief Eshbach's attempt to bring the cost down.

**SCHENCK** Chairman Schenck indicated that was the type of analysis that would review the overall impact. There is no question it might be a good alternate.

**B. Authorization to Advertise Ordinance Relocating, Adopting and Vacating Portion of Eden Road**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE RELOCATING, ADOPTING AND VACATING PORTION OF EDEN ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization for Chairman to Execute Letter Supporting Safe Routes to School Program and Township's Share of Engineering Costs.**

**HOLMAN** Mr. Holman stated that the County would like a letter signed by the Chairman. He had been authorized to sign, as part of the application, but now the County would like the document signed by the Board Chair indicating that the Township will supply the engineering fees. The Township already had supplied the engineering fees as part of the grant.

**MR. GURRERI MOVED TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE LETTER SUPPORTING SAFE ROUTES TO SCHOOL PROGRAMS AND**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 13, 2005  
APPROVED**

**TOWNSHIP'S SHARE OF ENGINEERING COSTS. MR. DVORYAK WAS  
SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Acknowledge Receipt of November 30, 2004 Treasurer's Report**

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

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:16 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JANUARY 13, 2005  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 13, 2005 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT IN ATTENDANCE:** Don Bishop

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Jim Baugh, Director of Community Development  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:50 p.m.

**2. Tax Map 6, Parcel 95 – North Sherman Street**

**A. Ordinance 05-02 – Amending the Springettsbury Township Zoning Ordinance, Modifying and Altering the Zoning Map of the Zoning Ordinance.**

**SCHENCK** Chairman Schenck stated the purpose of the Public Hearing was to solicit public comment concerning Ordinance 05-02.

**BAUGH** Mr. Baugh commented that during this time, the public has the opportunity to comment, and the Supervisors will take those comments into consideration. It is the intention to amend the zoning of the piece of property north of the Rutters store on North Sherman Street. Currently the property has a cut through to it. The only use for it is a property extension for parking and landscaping opportunity.

**HOLMAN** Mr. Holman reported that a recommendation had been received from York County, YAMPO, that they support the re-zoning.

**SCHENCK** Chairman Schenck called for any public comment.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JANUARY 13, 2005  
APPROVED**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, asked whether the objective would be to provide for a Rutters store.

**SCHENCK** Chairman Schenck responded that the Board is simply looking at how to rezone the parcel of land.

**STUHRE** Mr. Stuhre stated that half the property is divided into two separate zones. He did not think it would be feasible to build a house on the property. The only sensible thing, in his opinion, would be to make the entire piece Commercial Highway in order that the property could be used.

**SCHENCK** Chairman Schenck thanked Mr. Stuhre for his comments.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 6:55 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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