

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**DECEMBER 11, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 11, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman
Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson – Director of Wastewater Treatment
David Eshbach, Chief of Police
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Jean Abrecht, Stenographer

A. CALL TO ORDER

BISHOP Vice Chairman Don Bishop called the meeting to order at 7 p.m. He indicated that Mr. Gurreri was not feeling well and Mr. Schenck had been out of town and was unexpectedly detained. Neither gentleman would be in attendance.

A. Opening Ceremony

BISHOP Mr. Bishop led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. November 19, 2008 – 9:30 p.m. to discuss personnel matters, real estate and possible litigation.

BISHOP Mr. Bishop announced that an Executive Session had been held following the last public meeting November 19th to discuss personnel, real estate and litigation issues. He was not aware that any Executive Sessions were planned for this date.

12. OLD BUSINESS

A. YorkCounts Police Merger Study Proposal

BISHOP Mr. Bishop noted that item 12.A on the Agenda under Old Business would be tabled due to the absence of two board members.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that the Collection System Improvements contract was recently awarded to Tri-State Grouting, and a pre-construction conference had been scheduled for next week. Commonwealth Finance Authority just published their program guidelines for the grant program for the \$800 million approved last year. There is a 60-day window to submit the application. Teri Gilfillen had coordinated it and all project assignments had been submitted. It will require board action probably during a January meeting as there is a Resolution to be approved.

RAUSCH Solicitor Rausch asked whether a decision had been made on whether or not project number contracts would qualify.

SCHOBER Mr. Schober responded that the decision had been made. Projects which commence after January 1, 2007 will qualify.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani stated he had four updates in addition to his December report. He reported on the following:

- Safe Routes To School – Project is suspended due to the cold weather. Contractor is in the penalty phase of liquidated damages @ \$200 a day, which will stop until work is resumed. Project is about 40% completed.
- Davies Drive – Work continues on plans and specifications jointly with Buchart-Horn because there is a sewer line involved. Hearing dates will be scheduled from the PUC, which will enable that project to be bid. Completion is anticipated during 2009.
- Mt. Zion/Market Street – Condemnation for one property is proceeding which will enable the project to move forward.
- Subdivision and Land Developments – An application was received for the Long subdivision on Deininger Road to build five homes over time. Developer sought relief from the Zoning Hearing Board for

having any road frontage. The five homes are serviced by a 10-foot wide driveway. A condition was placed on the project for a more substantial road frontage. Zoning Hearing Board denied their request.

5. CONSENT AGENDA

- A. Johnston Construction Co. – Application for Payment No. 14 – Grit Removal Improvements Project in an amount not to exceed \$45,000.**
- B. TMI Commercial, Inc. – Application for Payment No. 4 (Final Payment) – Grit Removal Improvements Project in an amount not to exceed \$8,387.45.**
- C. B&R Construction Services – Application for Payment No. 1 – Safe Routes to School-Central Project in an amount not to exceed \$19,114.**
- D. Acknowledge Receipt of October 21, 2008 York Area United Fire & Rescue Commission Regular Meeting Minutes.**
- E. Regular Payables as Detailed in the Payable Listing of December 11, 2008.**
- F. LD-07-11 – Time Extension – 84 Locust Grove – Plan Expires 1/11/09 (New Plan Date 4/11/09).**
- G. LD-08-02 – Time Extension – Rite Aid/Jiffy Lube – Plan Expires 12/25/08 (New Plan Date 3/25/09).**
- H. LD-08-09 – Time Extension – Yorkshire Elementary – Plan Expires 12/23/08 (New Plan Date 3/23/09).**
- I. LD-08-13 – Time Extension – Courtyard by Marriott – Plan Expires 12/22/08 (New Plan Date 3/22/09).**
- J. LD-08-14 – Time Extension – Towneplace Suites by Marriott – Plan Expires 12/22/08 (New Plan Date 3/22/09).**
- K. LD-08-15 – Time Extension – St. John’s Church Addition – Plan Expires 12/22/08 (New Plan Date 3/22/09).**
- L. SD-07-03 – Time Extension – Spring Meadows Residential – Plan Expires 12/30/08 (New Plan Date 3/30/09).**

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA, ITEMS A THROUGH L. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Agreement with Buchart Horn, Inc. for East West Interceptor Cleaning/Televising/Manhole Inspection in an amount not to exceed \$25,000.**

HOLMAN Mr. Holman indicated that Buchart Horn will televise 5,000 feet of the east/west interceptor from a four-inch line at a cost not to exceed \$25,000. Mr. Holman noted that the item was in the 2008 budget and also in the 2009 budget since by the time the contract starts it will be into 2009.

DVORYAK Mr. Dvoryak asked whether the contract amounts were within the budget.

HOLMAN Mr. Holman responded that they are within the budget, as well as in accordance with the long range plan for the sewer.

MR. BOWMAN MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH BUCHART-HORN FOR EAST/WEST INTERCEPTOR CLEANING, TELEVISIONING AND MANHOLE INSPECTION IN AN AMOUNT NOT TO EXCEED \$25,000. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Agreement with Buchart Horn, Inc. for Codorus Creek Interceptor Televising in an amount not to exceed \$95,400.

HOLMAN Mr. Holman stated that authorization was requested for Buchart-Horn for a 48-inch diameter, 17,200 feet and 6,100 feet to televise, clean and do necessary repairs for the Codorus Creek Interceptor at a cost not to exceed \$95,400.

MR. BOWMAN MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH BUCHART-HORN FOR CODORUS CREEK INTERCEPTOR AND TELEVISIONING IN AN AMOUNT NOT TO EXCEED \$95,400. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Enter into Agreement with URS Corporation for 2009 Planning Services

HOLMAN Mr. Holman stated that Marian Hull, who works for URS currently, is doing a project for the township in the Town Center. The township had requested her opinion with regard to some questions or interpretations of the Comprehensive Plan and Zoning Ordinance. Her opinion had been very helpful. This item merely sets the hourly rate for Marian Hull for 2009.

BISHOP Mr. Bishop asked whether the item was completely separate from the Town Center contract.

HOLMAN Mr. Holman responded that it is completely separate from Town Center.

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH URS CORPORATION FOR 2009 PLANNING SERVICES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-08-08 – Yorkshire Elementary School-Final Plan, Expires 2/12/09 (Action)

- RAO** Mr. Rao provided background information with regard to SD-08-08 for Yorkshire Elementary School Reverse Subdivision, as documented in his December 11, 2008 briefing memorandum. The plan proposed the consolidation of two separate parcels for a proposed new elementary school. Planning Commission had recommended approval of the plan during their November 20, 2008 meeting with several conditions. He provided a PowerPoint presentation of the plan which included the Highlights, the Plan History, Project Location, Adjacent Zoning District, Aerial View, Present Site, Existing Plan and Proposed Plan. He introduced Casey Deller of C. S. Davidson, Engineer for the project.
- DELLER** Mr. Deller stated that Mr. Rao had provided a very concise summary of the overall plan. He offered to respond to any of the board's questions.
- BISHOP** Mr. Bishop requested further clarification on the procedure for dealing with the Maywood Road land.
- DELLER** Mr. Deller responded that the northern portion and a section of Third Avenue that runs through the center of the property, as well as the eastern upper portion, was never opened. This was documented on a subdivision plan created in the early 1960's.
- BISHOP** Mr. Bishop asked what the impact might be on the property owners.
- DELLER** Mr. Deller responded that since those streets were never built, constructed, dedicated or accepted by the township within the 21-year legal window, all public rights and township rights to those streets were eradicated after 21 years. At that point in time rights to those portions of the land revert back to the property owners on either side and the school district can legally claim their half of Maywood Road. The eastern side of the center line of Maywood Road lands reverts back to the adjacent properties on that side.
- BISHOP** Mr. Bishop asked whether the parcels are already deeded.
- DELLER** Mr. Deller responded that none of their deeds referenced inclusion of that portion of Maywood Road. The deeds referenced back to the original subdivision plan created in the early 1960's. Part of the school's procedure with regard to the reverse subdivision plan will be to create a new deed for their property encompassing parcel 123, 328 and some additional areas. Part of the process is that the developer is required to notify each of the adjacent landowners of this change in legal ownership of those lands. As each owner is contacted, it will be the property owner's decision to have their own deed written to encompass the pieces of ground.

- BOWMAN** Mr. Bowman asked what the width would be that the property owner would receive.
- DELLER** Mr. Deller responded that the overall right-of-way for Maywood Road is 60 feet, so each one of the property owners would get 30 feet. From a physical standpoint now the way the land is used, it's almost like that property line is there right now in each of their back yards, some with fences up to where the center line of Maywood Road would be. On the school's portion some of the structures in conjunction with the baseball backstop go into that Maywood Road area, but they all end neatly right where that center line of Maywood Road would be.
- BISHOP** Mr. Bishop asked Solicitor Rausch whether the property owners would be required to get a new deed.
- RAUSCH** Solicitor Rausch responded that, as a practical matter, what Mr. Deller was said was correct although when paper streets are created on a subdivision plan the township does lose its public rights. As a technical matter the paper streets stay as private rights for any lot in that subdivision. He noted that the best procedure would be to do a Quiet Title action in order to clear it. The problem would involve notifying a large number of property owners. However, the owners do not need to do anything
- BISHOP** Mr. Bishop noted that it sounded like it would be imposing a burden on the property owners. He asked whose responsibility it would be to do that.
- RAUSCH** Solicitor Rausch stated it would be the property owner's responsibility either individually or collectively.
- LUCIANI** Mr. Luciani noted that in some portions of York County when new subdivisions are created, the property line will go to the center of the road and the property owners will allocate a right-of-way. The legal description is written to include the situation.
- RAUSCH** Solicitor Rausch added that property owners could file a lawsuit if they wanted to still maintain their private right to use Maywood Road to Eastern Boulevard. Because the road does not exist, it would not eliminate that right of access.
- LUCIANI** Mr. Luciani noted that they had evaluated all vehicular access, which all current property owners have through all the streets.
- RAUSCH** Solicitor Rausch noted that, unless the legislature would change the law, after 21 years all rights are gone and that eliminates the problem. The township's position is the recognition that the public rights have expired.

The subdivision does not impact the township, and it is a private issue between all the landowners.

BISHOP Mr. Bishop noted that the township may not have a legal responsibility. However, he thought the township would have some responsibility to protect the individual property owners to the extent possible.

RAUSCH Solicitor Rausch reiterated that the property owners don't have to do anything.

HOLMAN Mr. Holman stated that the only time that this might come up down the road is when a property is sold and the property is appraised and the subdivision comes up. When the title is transferred the additional land will be transferred without the easement.

DELLER Mr. Deller noted that some of the concern may be taken care of through the notification of what is taking place to the residents.

BISHOP Mr. Bishop responded that was what concerned him in that no matter how good a job is done of explaining that to people there will be questions. He anticipated that the township would be fielding a lot of telephone calls for explanations.

RAUSCH Solicitor Rausch commented that the developer would not go out and determine each area or provide a legal description.

DELLER Mr. Deller responded that they had not done so and it was not their intent to do so.

RAUSCH Solicitor Rausch added an additional aspect. The property owners had been using the area as their back yards for more than 21 years. If those property owners were to sell their property, the legal description will include the right-of-way line and not to the middle of Maywood. They will have to deal with that. However, Solicitor Rausch did not think the plan would harm any of the property owners.

BISHOP Mr. Bishop stated that was his only concern and that he wanted to make sure the township was not causing problems that would cost the residents a lot of money.

MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION PLAN SD 08-08, YORKSHIRE ELEMENTARY REVERSE SUBDIVISION, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-13.B.7.e), APPLICANT SHALL HAVE THE SURVEYOR SIGN, SEAL AND DATE THE SURVEYOR BLOCK;**

- **SALDO (§289-13.B.7.f), APPLICANT SHALL HAVE THE ENGINEER SIGN, SEAL AND DATE THE GENERAL PLAN/REPORT BLOCK;**
- **SALDO (§289-11.B), APPLICANT SHALL PROVIDE FINAL PLANS ON MYLAR MATERIAL AND ALSO PROVIDE A PDF ELECTRONIC COPY OF THE RECORDED PLAN;**
- **SALDO (§289-12.C), BEFORE THE RECORDING OF AN APPROVED FINAL PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE AS PROVIDED IN SALDO (§289-38), PERFORMANCE REQUIREMENTS;**
- **SALDO (§289-68.E), ALL ENGINEERING, LEGAL, RECREATION AND/OR ADMINISTRATIVE COSTS WILL BE PAID PRIOR TO THE RECORDING OF THE FINAL PLAN.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**B. LD-08-15 – St. John’s Church Addition – Final Plan, Expires 12/22/08
(Action)**

RAO Mr. Rao provided background information in his December 11, 2008 memorandum. The plan proposed a 4300 square foot fellowship hall addition to the church. Planning Commission recommended approval to the Board of Supervisors November 20, 2008. He provided a PowerPoint presentation of the plan showing the Plan History, Project Location, Zoning District, Present Site and Proposed Plan. He introduced Adam Anderson, Gordon Brown Associates, representing the plan.

ANDERSON Mr. Anderson indicated that Mr. Rao had provided a good summary of the plan. He offered to respond to any questions the board had. He noted that with the plan there are sidewalks on their side of Hartford Road, along with some landscaping around the sides. Stormwater will be managed in a seepage pit.

BISHOP Mr. Bishop asked for clarification of the difference between a waiver and a waiver modification.

ANDERSON Mr. Anderson responded that their interpretation was that a waiver was a complete waiver of the requirement, but a modification was a slight modification of the requirement.

RAO Mr. Rao added that they will do what is required, but there will be a slight change, addition, deletion or reduction of the waiver. That was the reason he had separated them as there were quite a few.

BISHOP Mr. Bishop asked for an explanation of the differences between the plan approved about a year ago and the current plan.

ANDERSON Mr. Anderson responded that within the plan that was approved a year ago there was a lot more impervious area with storm sewer and a basin including about 10,000 square feet.

RUNGE John Runge, Gordon Brown Associates spoke, as he had been involved during the previous planning process. He indicated that a lot of the problems had been solved. The previous plan had an addition that came off the front and was substantially larger. There were two seepage pits and they had expanded and put a turnaround in to accommodate additional fire truck maneuverability. The Land Development Plan was approved. However, because of the economy and the time that was allotted to getting to that point, the funds were no longer there so the church elected to pull back, gather their resources and scale down the improvement. At this time they are planning a 4,000 square foot addition to accommodate the immediate needs. All the waivers presented are a carryover to the ones previously approved. There are a few additional waivers associated with the stormwater due to ordinance revision.

HOLMAN Mr. Holman commented on that one of the major issues with the original project involved area for sidewalk. However, this also included the Mt. Rose widening to accommodate the improvements and the sidewalk. There were no changes from the previous plan with regard to the right-of-way dedication.

LUCIANI Mr. Luciani reminded the board of the note on a 1960 plan indicating to the township that sidewalks would be mandated. The waivers from the previous plan were carried over.

BISHOP Mr. Bishop recalled that the township is not requiring them to do anything on Mt. Rose in terms of sidewalks. However, the township still has the ability to fund that.

LUCIANI Mr. Luciani responded that he was correct. The township has the right-of-way.

RUNGE Mr. Runge added that it is still referenced on this plan

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-15, ST. JOHN'S CHURCH ADDITION, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE FIVE WAIVERS AS LISTED ON THE STAFF REPORT DATED DECEMBER 11, 2008.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-15, ST. JOHN'S CHURCH ADDITION, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE FIVE WAIVER MODIFICATIONS LISTED ON STAFF REPORT DATED DECEMBER 11, 2008.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-15, ST. JOHN'S CHURCH ADDITION, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE SIX CONDITIONS AS LISTED ON STAFF REPORT DATED DECEMBER 11, 2008.

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch confirmed with Messrs. Runge and Anderson that they had received a copy of the December 11, 2008 Briefing Memorandum.

RUNGE Mr. Runge responded that he had received a copy.

C. LD-08-04 – Stonybrook Professional Center – Preliminary Plan, Expires 1/28/09 (Action)

RAO Mr. Rao provided background information with regard to LD-08-94, Stonybrook Professional Center. The project is to construct office buildings and retail spaces on a currently vacant lot for tenant leasing. The Planning Commission recommended approval of the Preliminary Plan to the Board of Supervisors on November 20, 2008. Mr. Rao provided a PowerPoint presentation of the plan showing the Highlights of the Plan, Project Location, Adjacent Zoning District, Aerial View, Present Site, Existing Conditions and Proposed Land Development Plan. He introduced Joe Stein of Johnston Associates, engineer for the plan.

STEIN Mr. Joe Stein offered to respond to any technical questions.

BISHOP Mr. Bishop asked for a description of what would be actually built.

STEIN Mr. Stein responded that there will be three buildings. The truck terminal would be for delivery coming and going to the rear of the two buildings. The units will be condominium style, give small business owners a chance to own the property; not leasing, not renting; much like residential development. It would be comprised of office and light manufacturing.

HOLMAN Mr. Holman asked whether the building elevations had been submitted.

STEIN Mr. Stein responded that he had delivered them to Mr. Rao this date.

RAO Mr. Rao indicated the Planning Commission wanted to see the building elevations during the December 18th meeting. That is noted as condition #6.

BISHOP Mr. Bishop commented that was confusing in that they were asking for more information but they had already approved it.

- HOLMAN** Mr. Holman noted that this is a preliminary; and not a final plan. However, prior to approving a final they wanted to see the building elevations. In this condition, complete building elevations must be submitted prior to the Board of Supervisors meeting. He asked whether that would be the meeting this date or the final approval.
- RAO** Mr. Rao noted that it would be for the final approval.
- HOLMAN** Mr. Holman commented that would be during the January meeting.
- RAUSCH** Solicitor Rausch asked about the sewage agreement. He asked whether the township wanted them to be a customer of the Eastern York County Sewer Authority. He noted that the agreement that he received showed that the township was going to be the customer.
- HOLMAN** Mr. Holman commented that he had not seen the agreement but his understanding of the process was due to the fact that they would have to pump up to Springettsbury's system and it didn't make any sense where they could take gravity down to theirs. It makes sense to go with the gravity flow.
- RAUSCH** Solicitor Rausch indicated that the township will give Eastern York County Sewer Authority consent for that portion of the development to be a customer for them.
- LUCIANI** Mr. Luciani noted that he had discussed it with Solicitor Ehrhart, and the whole thing will go east.
- BISHOP** Mr. Bishop noted that the agreement is a condition of approval. He asked whether that agreement had been completed.
- HOLMAN** Mr. Holman responded that the agreement is being completed.
- RAUSCH** Solicitor Rausch noted that they will work through the details. For purposes of preliminary approval, that can be kept on as a condition. The final agreement will have the details.
- HOLMAN** Mr. Holman asked about the status of Hellam's approval.
- STEIN** Mr. Stein responded that their board had approved it.
- LUCIANI** Mr. Luciani noted that they will need a PennDOT permit for Market Street. They had requested a waiver of road widening. During the last Planning Commission meeting they withdrew the waiver to see what PennDOT will say whether they will have to go through with the widening

as required. Again, this is a Preliminary Plan and it will go through the PennDOT process.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-04, STONYBROOK PROFESSIONAL CENTER, TO APPROVE THE PRELIMINARY PLAN WITH THE WAIVER MODIFICATION AS SHOWN ON STAFF REPORT DATED DECEMBER 11, 2008.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-04, STONYBROOK PROFESSIONAL CENTER, TO APPROVE THE PRELIMINARY PLAN WITH THE SIX CONDITIONS AS LISTED ON STAFF REPORT DATED DECEMBER 11, 2008.

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman noticed a bunch of signs out over the last few days.

HOLMAN Mr. Holman responded that they had collected about 44 signs.

BISHOP Mr. Bishop noted two traffic items. He first reiterated that the traffic lights at North Hills Road and Industrial Highway are horrible, dangerous, confusing and will cause problems.

BOWMAN Mr. Bowman noted that there was a traffic light just like it on Route 41 near Avondale, New Jersey.

HOLMAN Mr. Holman responded that he will submit a letter to PennDOT. Mr. Luciani had gathered additional information and will another site visit will be requested.

BISHOP Mr. Bishop reported that the additional traffic item involved Memory Lane traveling south at Market Street where the Giant wants to put in gas pumps. There are three lanes there, a left, a straight and a right. It is very poorly marked and he thought there might be an overhead sign that was missing and the road markings have worn away.

LUCIANI Mr. Luciani noted that the Giant Preliminary Plan was approved and their HOP appeared to be moving pretty quickly. When that HOP permit is approved, they will be obligated to overlay the road, put that median in and re-paint those lines.

HOLMAN Mr. Holman indicated he will check to see if a sign is missing, and if so, they will replace it.

LUCIANI Mr. Luciani added that it is the township's obligation to maintain signs once they are installed.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch suggested that the pedaling solicitation ordinance be updated. With the board's permission, he offered to draft a new ordinance for review.

Consensus of the Board was permission to create a draft ordinance.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that verbal approval was received for the No U-Turn sign up on Concord and Mt. Zion. When the letter is received, Mr. Lauer is ready to install the signs. He asked Solicitor Rausch about the status of the Davies Drive agreement.

RAUSCH Solicitor Rausch responded that work is continuing on the language in the agreement. He had been in contact with the attorneys and hopefully will have a final contract to present to Penn Prime with the hope they will sign off.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-10 – Ordinance Amending the Zoning Map by Rezoning a Certain Tract of Land along East Market Street from Neighborhood Commercial (N-C) and Mixed Use (M-U) Districts to Mixed Use (M-U) District.

BISHOP Mr. Bishop noted that a public hearing had been held earlier this date.

MR. DVORYAK MOVED TO ADOPT ORDINANCE 08-10 AMENDING THE ZONING MAP BY REZONING A CERTAIN TRACT OF LAND ALONG EAST MARKET STREET FROM NEIGHBORHOOD COMMERCIAL AND MIXED USE DISTRICTS TO MIXED USE DISTRICT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-66 – Authorizing the Filing of a Declaration of Taking for the Purpose of Acquiring Rights-of-Way along Mt. Zion Road.

HOLMAN Mr. Holman stated that the property in width is one foot wide and in one area almost two and a half foot wide and 290 feet in length. The township will replace the sidewalk, curbing, and the driveway sight distance will be improved into the property along Mt. Zion Road as part of this project. This will enhance public safety at that intersection.

DVORYAK Mr. Dvoryak stated that since the last meeting he understood the township had reached out to that owner and asked for an appraisal to support his position that the value might be different than the township's appraisal.

HOLMAN Mr. Holman responded that Solicitor Rausch had asked for that numerous times.

RAUSCH Solicitor Rausch noted that the property owner indicated that he didn't have an appraisal.

BISHOP Mr. Bishop added that he did not intend to get an appraisal as far as Solicitor Rausch could discern.

RAUSCH Solicitor Rausch indicated he was correct.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-66
AUTHORIZING THE FILING OF A DECLARATION OF TAKING FOR THE
PURPOSE OF ACQUIRING RIGHTS-OF-WAY ALONG MT. ZION ROAD.
MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

C. Resolution No. 08-67 – Establishing an Open Records Policy in Accordance with the Pennsylvania Right to Know Law (Act 3 of 2008).

HOLMAN Mr. Holman indicated that the State Legislature passed an update to the right-to-know law for all public information. The township will appoint a Right-to-Know officer enacted by Resolution. The law provides five days for the township to respond to a request of right-to-know and in that response the township will indicate either that the information is available or not due to specific conditions which are carefully spelled out. The previous law enabled the resident to challenge the township's determination, which they would have to prove, whereas within the new law the township would have to prove that the determination was right. Mr. Holman did not see any great change to the township in how business is conducted. Most of the information is available on the website and not subject to fees.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-67
ESTABLISHING AN OPEN RECORDS POLICY IN ACCORDANCE WITH THE
PENNSYLVANIA RIGHT TO KNOW LAW (ACT 3 OF 2008). MR. DVORYAK
WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

D. Resolution No. 08-68 – Amending Fee Schedule

HOLMAN Mr. Holman stated that Resolution 08-68 amends the fee schedule for 2009. He cited several specific items which had raised costs in the fee schedule:

- Changes in the industrial sewer rates
- Insufficient funds for bad checks
- Certification of sewer based costs
- Community Development fees
- Significant changes in minimum escrows
- Escrows for sketch plans

Mr. Holman thanked Mark Hodgkinson, Chief Eshbach, Brad Hengst and Harish Rao and his staff for their work on the Fee Schedule.

BISHOP Mr. Bishop asked how an “at cost” figure would be compiled.

HOLMAN Mr. Holman responded that they can provide a cost very quickly on what a document would cost. It can be reviewed on line and printed individually; if the township needed to provide a hard copy, they will call the publisher and they will provide a cost for a specific document. Maps can be printed at Nefra at cost.

BISHOP Mr. Bishop asked about the Zoning Hearing fees.

RAO Mr. Rao responded that any zoning changes are being increased to \$1,500 for the legal checks. In addition, the consultant for the Comprehensive Plan as well as First Capital Engineering involvement.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-68 AMENDING FEE SCHEDULE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 08-69 – Approval of York Area United Fire and Rescue 2009 Budget.

HOLMAN Mr. Holman stated that this is the first time in the board’s history that it has approved a four-year budget for the York Area United Fire and Rescue as it is the first full year of operation. He had worked through the budget with Sandy Ratcliffe. The budget is within 4% of what was projected back in 2005, and it was done for 06, 07, 08, 09, 10 projections. The budget itself approves the General Fund budget and the Capital budget for purchase of one fire truck approved by the board and one command vehicle. In the Resolution that is what is being approved. He issued congratulations to everyone who assisted in getting to the point where there’s a Resolution to adopt this budget.

BISHOP Mr. Bishop reiterated that what is not always remembered is that this is an extremely significant example of inter-municipal cooperation to get to this point where fire companies have been combined and the budget process gone through together. A lot of work happens behind the scenes and people don't realize the extent to which new ground had been broken.

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 08-69 APPROVAL OF YORK AREA UNITED FIRE AND RESCUE 2009 BUDGET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 08-70 – 2009 Budget Adoption

HOLMAN Mr. Holman reported that a public budget presentation had been held during a work session just prior to a regular meeting. The budget had been posted and advertised as necessary. The total 2009 budget including all funds, the General Fund, the other funds and the Sewer Fund is \$35,646,125. The General Fund portion of that is \$12,687,625. The other funds, which is the Capital Improvement, Commonwealth Liquid, Fire, Library, Petition Street Lights, Stormwater Reserve, Subdivision and Recreation, Waste Reduction and other funds \$2,428,500. The Sewer Fund budget which includes the Inter-municipal Capital or the BNR project, \$20,530,000. Mr. Holman thanked everyone who worked on the budget, all department heads, directors, administrative staff, and financial staff for helping put together a budget that not only reflects the township needs and the board's priorities, but also maintains the tax rate which had been maintained and not increased year 2004. That takes a lot of effort on everyone's part.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-70, 2009 BUDGET ADOPTION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

G. Resolution No. 08-71 – 2009 Tax Levy

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-71, 2009 TAX LEVY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

H. Resolution No. 08-72 – Setting Member Contribution into the Police Pension Fund for the Year 2009.

HOLMAN Mr. Holman stated that each year the township must set the rate for the police pension fund if the amount is less than 5%. The rate at the beginning of 2009 will stay at 4% as negotiations are currently under way.

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 08-72. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Resolution No. 08-73 – DCED Grant Application for York Area United Fire and Rescue: Year 2 of Emergency Responder Grant

HOLMAN Mr. Holman explained that Resolution 08-73 involved an application for a DCED grant for the second year of funding for assistance with the Chief's and the Administrative Assistant's salary for the York Area United Fire and Rescue. It is anticipated to be a three-year program, but it must be applied for each year.

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 08-73. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Police Merger Study Proposal

This item was tabled.

13. NEW BUSINESS

A. Set Time for Board of Supervisors Reorganization Meeting to be held on January 5, 2009.

Consensus was to meet at 5 p.m. on Monday, January 5, 2009.

14. ADJOURNMENT

BISHOP Acting Chairman Bishop adjourned the meeting at 8:25 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**DECEMBER 11, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, December 11, 2008 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman
Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Jean Abreght, Stenographer

A. CALL TO ORDER

BISHOP Vice Chairman Don Bishop called the meeting to order at 6:45 p.m. He stated that the purpose of the public hearing was to take public comment on a proposed amendment to the Zoning Map.

B. NEW BUSINESS

A. Ordinance No. 08-10 – Ordinance Amending the Zoning Map by Rezoning A Certain Tract of Land along East Market Street from Neighborhood Commercial (N-C) and Mixed Use (M-U) Districts to Mixed Use (M-U) District.

RAUSCH Solicitor Rausch stated that the property in question related to the area of the former Kevin’s Chinese restaurant and post office. Property was Neighborhood Commercial and Mixed Use. The property owner requested it be re-zoned.

HOLMAN Mr. Holman stated that he had received a letter from Marian Hull stating that moving the zoning to Mixed Use would be in conjunction with the Comp Plan and York County Planning Commission had recommended approval of this consolidation.

BISHOP Mr. Bishop noted that the action would clean up a zoning line drawn through the middle of the building.

C. PUBLIC COMMENTS

BISHOP Mr. Bishop opened the floor for public comment regarding the change to this zoning ordinance.

STUHRE Charles Stuhre commented that the old post office zone cut the building in half.

D. ADJOURNMENT

RAUSCH Solicitor Rausch stated that the Public Hearing had been advertised.

BISHOP Vice Chairman Bishop adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET PRESENTATION**

**NOVEMBER 19, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Presentation meeting on Wednesday, November 19, 2008 at 6 p.m. at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
George Dvoryak
Mike Bowman
Nick Gurreri

MEMBERS NOT

IN ATTENDANCE: Don Bishop, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Andy Hinkle, Manager, Information Systems
Jack Hadge, Finance Director
Jean Abreght, 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 hear information on the proposed 2009 Budget.

HOLMAN Mr. Holman, Township Manager, provided a PowerPoint review of the proposed budget. The documentation had been prepared and provided to the Board members. General Fund is \$12,687,625; Other Funds - \$2,428,500; Sewer Fund \$20,530,000 for Total Fund Allocation of \$35,646,125. Mr. Holman provided an in-depth review of each of the township funds. He stated that no tax increase is recommended for 2009. He reviewed the goals for 2009, which included the completion of the Town Center Gateway project, Parks and Recreation Master Plan, Job Retention, Economic Growth through Development Authority, Construction of the Davies Drive rail crossing, Improvements to the intersection of Routes 462/24, and Bio Nutrient Removal. Mr. Holman indicated that, with regard to expenditures, they are aware of one project not budgeted where billing will come in which related to the new 911 radios. As that information becomes available, Mr. Holman stated he would provide a supplementary report to the Board.

SCHENCK Chairman Schenck asked about the 911 radios with regard to the fire company.

**SPRINGETTSBURY TOWNSHIP
BUDGET PRESENTATION**

**NOVEMBER 19, 2008
APPROVED**

- HOLMAN** Mr. Holman responded that the police had attempted to implement the radios with numerous problems. YAUFRR will attempt to use it and see how it works. The county is leading the project.
- GURRERI** Mr. Gurreri asked how the engineering services of \$9,500 would be used.
- HOLMAN** Mr. Holman responded that engineering services are used when a project is being considered for the park and the services investigate the project and provide cost estimates.
- DVORYAK** Mr. Dvoryak asked about the budgeted, non-contractual wage increases.
- HOLMAN** Mr. Holman responded that he would meet with the Board during Executive Session to discuss the item. It would be approximately 3-1/2 to 4% depending upon the CPI.
- DVORYAK** Mr. Dvoryak asked about patient advocacy services.
- HOLMAN** Mr. Holman provided a lengthy response about the Connect Care 3 Program, which was part of the budget. It is a pilot program for critically ill patients, which provides for assistance with insurances, treatment, options, monitors testing, and provides additional medical help. It would be an added employee benefit with limited use. He indicated that the program will be monitored for its effectiveness.
- Mr. Holman thanked everyone for their time and efforts in putting the budget together.
- SCHENCK** Chairman Schenck adjournment the meeting at 6:45 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 19, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Wednesday, November 19, 2008 at 7 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
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. and welcomed everyone. He asked Mr. Gurreri to lead the Opening Ceremony.

A. Opening Ceremony

GURRERI Mr. Gurreri welcomed everyone and stated that Pastor Ray Fravel, Retired Pastor of Yorkshire United Methodist Church would provide the prayer.

FRAVEL Pastor Fravel prayed for the community and the Board of Supervisors and the decisions they would make during the meeting.

GURRERI Mr. Gurreri led the Pledge of Allegiance. He asked that the men and women in the armed services be remembered in prayer.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had not been any Executive Sessions since the last meeting, and none had been scheduled for this date.

3. COMMUNICATIONS FROM CITIZENS

York Food Bank Christmas Tree Sale

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 19, 2008
APPROVED**

- OLSON** Glenn Olson, representing the York Food Bank Christmas Tree Sale, came forward to discuss the sign ordinance and request permission to erect his sign, as other municipalities had allowed them.
- SCHENCK** Chairman Schenck asked if he would like to have a copy of the Code of Ordinances.
- OLSON** Mr. Olson responded that he only wanted permission to place signs at 12 Springettsbury businesses to direct the public to purchase Christmas trees in Red Lion. He thought that the activity could be considered a civic event. He had spoken with Messrs. Holman and Rao and had applied for permission to have his Christmas tree lot in the township and had been denied. He wanted permission for his signs but had not applied for a sign permit.
- SCHENCK** Chairman Schenck asked Mr. Rao what options might be available within the sign ordinance.
- RAO** Mr. Rao responded that Section 325-105, subsection E establishes prohibited signs. Mr. Rao did not consider the sign in question a permitted sign; he considered it a directional sign advertising an event elsewhere. Mr. Rao indicated he would deny same if he had applied.
- SCHENCK** Chairman Schenck asked Mr. Rao if he had made his decision based on the sign in question.
- RAO** Mr. Rao responded that he had not seen the sign, although Mr. Olson had described it to him.
- SCHENCK** Chairman Schenck indicated that it was not the Board of Supervisors' authority to waive zoning laws; rather that was the business of the Zoning Hearing Board. First an application must be submitted to the Zoning Hearing Board, which is the remedy to attempt to get what he wanted. If the application is denied, then an appeal can be made, which is Pennsylvania's prescribed remedy.
- OLSON** Mr. Olson responded that there is a \$300 fee.
- DVORYAK** Mr. Dvoryak asked if the 12 Springettsbury business people collected donations, could the signs be posted.
- RAO** Mr. Rao responded that the sign would have to be amended.
- HOLMAN** Mr. Holman stated that an application with a copy of the sign is the first thing that is needed. No decisions can be made without that. If there is confusion about whether it was civic or not, the ordinance would be reviewed and then it would be sent to the Solicitor for an opinion. If the opinion is yes, it is then confirmed. If the opinion is no, then an appeal can be made to the Zoning Hearing Board.
- RAUSCH** Solicitor Rausch suggested that he start that process with the application, which would cost \$300.

OLSON Mr. Olson responded that he did not have that kind of time. They will open the lot in a week.

SCHENCK Chairman Schenck stated that he understood his frustration, but the Supervisors must deal with the law.

OLSON Mr. Olson reiterated that his activity was a civic event held for the York community's Food Bank.

RAUSCH Solicitor Rausch indicated that his cause was a good one, but from the township's standpoint the township must deal with every non-profit. He suggested that he appeal to the Zoning Hearing Board, since he had not formally made application for the sign permit. A decision could then be made.

GURRERI Mr. Gurreri added that Mr. Olson was doing a noble thing and that he should make application.

SCHENCK Chairman Schenck added that the board really could not provide an answer without it.

OLSON Mr. Olson responded that he appreciated it and thanked the board for the time.

Snow Plow Direction/Heavy Trucks on Trout Run Road

STUHRE Mr. Charles Stuhre of 3680 Trout Run Road brought forward two items. He had received the township newsletter and noticed that the snow plow pictures indicate the plow is putting snow in the driveway. He indicated he thought the photograph in the newsletter might be backwards. Secondly, he advised that there are more and more heavy trucks on Trout Run Road, a road that does not have a base. Because the road was never meant for heavy and larger truck traffic, he requested No Trucks signs to be posted except for local delivery and perhaps with a weight limit of 10,000 pounds or less.

SCHENCK Chairman Schenck indicated he had received a similar complaint in the area related to Lower Glades Road and that it seemed to relate to the construction activity.

STUHRE Mr. Stuhre responded that there had been a 50-fold increase in traffic and trucks are not complying with any detour signs.

SCHENCK Chairman Schenck asked Mr. Holman to have Mr. Lauer review the roadway.

HOLMAN Mr. Holman responded that he and Mr. Lauer had looked at Trout Run Road previously due to the truck traffic, but he would do so again.

SCHENCK Chairman Schenck stated that Mr. Stuhre was correct in that Trout Run Road was a dirt road that had been paved. It is not properly constructed and won't take a lot of weight.

STUHRE Mr. Stuhre added that the many school buses probably do as much damage as any. There are over 18 school buses each day. He had discussed the school bus traffic with the school board and suggested having transfer points. However, he was unable to effect any changes.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober indicated he had nothing to add to his written report. He stated that all projects are proceeding well. There are three minor punch list items on the Grit Removal project, which will be completed shortly.

B. Civil Engineer – First Capital Engineering

North Hills Road Traffic Signal

LUCIANI Mr. Luciani stated that he had submitted his monthly report and had several items to bring to the Board's attention. He had reviewed the Federal Highway Manual for Uniform Traffic Control Devices and provided a report on the signal head on North Hills Road next to Rutters. The main points were:

- Special signal phases – Federal guidelines indicate its use when visibility is limited.
- Each individual signal is viewed in separate sequence to direct traffic separately.
- They are timed such that it would be rare if both signals are the same color.
- If the railroad tracks were not there, there would be no need for the two signals.
- Meeting with PennDOT is proposed for further discussion.

Safe Routes to School Project

LUCIANI Mr. Luciani had provided some progress photos regarding the Safe Routes to School project. The contract is making some good progress; however, the colder weather had provided some challenges. He discussed the temperature with the contractor and suggested to increase their staff to complete the project. Mr. Luciani noted that they had a resident complaint concerning a tree that was in the right-of-way that had been modified and some limbs cut off. He wanted the township to remove that tree. It was not slated for demolition and he was advised that the tree could survive and remain there. The sidewalk was deflected around it. The goal was not to eliminate everybody's trees in their front yards and they had tried to communicate that to the residents.

HOLMAN Mr. Holman confirmed that the plan was to go around that tree.

LUCIANI Mr. Luciani stated that he would provide a brief presentation at the end of the meeting to discuss rights-of-way on Mt. Zion Road.

SCHENCK Chairman Schenck asked about the Safe Routes to School project when it would get to the point where the sense of urgency for liquidated damages would outweigh the long-term potential harm to the project.

LUCIANI Mr. Luciani stated that the project is not yet at that point. The contractor started a few weeks late on that project. He has 45-day time frame to complete that project.

HOLMAN Mr. Holman indicated that he is 30 days late on the project. Any decision made must be coordinated with the state due to the state grant funds coming in to this project and liquidated damages. They are watching it closely.

SCHENCK Chairman Schenck stated that he hoped that the result would not be bad sidewalks.

LUCIANI Mr. Luciani stated that there is a very rigid inspection. He stressed the fact that there are not enough laborers to handle the finishing of the concrete and it was setting up quickly in the cold weather. The contractor was hiring more finishers for the job. It had been going well but they are really up against the weather.

5. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 13 (Final Payment) – Grit Removal Improvements Project in an amount not to exceed \$9,500.**
- B. Acknowledge Receipt of October 31, 2008 Treasurer’s Report.**
- C. Acknowledge Receipt of September 16, 2008 York Area United Fire & Rescue Commission Special Meeting Minutes.**
- D. Acknowledge Receipt of September 16, 2008 York Area United Fire & Rescue Commission Regular Meeting Minutes.**
- E. Regular Payables as Detailed in the Payable Listing of November 19, 2008.**
- F. Board of Supervisors Public Hearing Minutes – October 9, 2008.**
- G. Board of Supervisors Regular Meeting Minutes – October 9, 2008.**
- H. Board of Supervisors Budget Work Session #1 – October 22, 2008.**
- I. Board of Supervisors Regular Meeting Minutes – October 23, 2008.**
- J. Board of Supervisors Budget Work Session #2 – November 4, 2008.**
- K. LD-06-07 – Time Extension – Dunkin Donuts – Plan Expires 12/10/08 (New Plan Date 3/10/09).**
- L. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 12/13/08 (New Plan Date 3/13/09).**
- M. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 11/26/08 (New Plan Date 2/26/09).**

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH M. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no additional Accounts Payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Award Bid for Penn Oaks Park Pedestrian Bridge to Continental Bridges in an amount not to exceed \$25,200.**

HOLMAN Mr. Holman stated that there were two bids, one for \$31,200 and another for \$25,200, which was the low bid. He indicated both bids met the specifications. Mr. Lauer recommended award to Continental Bridges in an amount not to exceed \$25,200. This will connect the walking paths in Penn Oaks Park at the northern end of the park near the parking lot. That will give an approximate 1.2 mile walking path.

SCHENCK Chairman Schenck asked whether it was part of the budget for that project.

HOLMAN Mr. Holman noted that it was part of the capital items in that project. It was removed from the original project because the costs under that construction bid were approximately \$60,000. The thought was that by going out for bids separately a better cost number could be obtained.

MR. GURRERI MOVED TO AUTHORIZE TO AWARD BID FOR PENN OAKS PARK PEDESTRIAN BRIDGE TO CONTINENTAL BRIDGES IN AN AMOUNT NOT TO EXCEED \$25,200. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Agreement with ConnectCare3, LLC for Patient Advocacy Services for the Period January 1, 2009 through December 31, 2011.

SCHENCK Chairman Schenck stated that item B was detailed in the Budget Presentation this date. This is a potential benefit for the employees of Springettsbury Township.

HOLMAN Mr. Holman added that the cost is \$8,200 a year and the award is contingent upon funds being available in each year of the three-year contract.

MR. BOWMAN MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH CONNECTCARE3, LLC FOR PATIENT ADVOCACY SERVICES FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2011. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**C. Authorization to Enter into Agreement with Capital Region Council of Governments
Re: Chesapeake Bay Tributary Strategy – Total Maximum Daily Load (TMDL) Issue.**

HOLMAN Mr. Holman stated that the Federal Environmental Protection Agency is looking at setting total maximum daily loads for the Chesapeake Bay Initiative, which will impact township levels for the BNR program. At \$100 a month it is worth joining the Capital Regional Council of Governments to make sure that the \$30 million that the township will spend on this project in order to meet the requirements is spent appropriately. Should the requirements become stricter, that could present a problem three or four years down the road after the township project is completed. It's certainly worth \$100. Mr. Holman stated that he had asked Solicitor Rausch to track the project closely. Funding was made available to help offset the cost of the Chesapeake Bay Initiative and the BNR project. Mr. Holman indicated that this

action will provide an avenue for follow through to be sure that township efforts will meet not only DEP standards, but also EAP standards.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO AGREEMENT WITH CAPITAL REGIONAL COUNCIL OF GOVERNMENTS REGARDING THE CHESAPEAKE BAY TRIBUTARY STRATEGY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-08-03 – Senior Life – York – Final Plan, Expires 1/25/09 (Action)

RAO Mr. Rao provided background information as documented in his November 19, 2008 briefing memorandum for Senior Life-York, LD-08-03. The project proposed to construct a 15,924 square foot senior daycare center located in a Mixed Use Zoning District. A Zoning Variance was granted for maximum setback distances. There are multiple regulatory agencies involved in reviews and approvals, which include the Corps of Engineers, Pennsylvania DEP, and York County Conservation District. A revised plan of the box culvert will be submitted if the approvals are denied by the regulatory agencies. There is a tree mitigation for Stonewood Park to be finalized. The Preliminary Plan was previously reviewed and no significant changes had taken place. Mr. Rao provided a PowerPoint overview of the plan which included the Plan History, Adjoining District, Aerial View, Present Site Showing the Swale, Existing Conditions, Proposed Land Development Plan, Elevation Renderings, Site Rendering Showing Landscaping. He stated that Joel Snyder of RGS Associates was present to respond to questions.

SNYDER Mr. Snyder stated that Mr. Rao had provided all the necessary information. Nothing had changed since the previous review and they are moving forward with the agency permits. They had dealt with engineering items related to the plan.

SCHENCK Chairman Schenck asked about the potential mitigation. He asked whether, if approved, it would township business or come from the review process with the other agencies.

LUCIANI Mr. Luciani reported that the Corps of Engineers had provided a verbal approval during the field meeting in September indicating that it was reasonable to close the stream with a caveat that the township find a suitable mitigation. Mr. Holman narrowed down a couple of sites in the township, which were submitted to their environmental consultants. Stonewood Park appeared to be a favorable site, and it is thought that the permit will be granted. Basically the township will be agreeing not to do any development in that park at that site. The township's Developers Agreement will indicate that the plantings and permitting will be done by their consultant.

SNYDER Mr. Snyder stated that the permitting becomes part of the joint permit and the planting will be the developer's to provide as part of that permit. Ultimately it's on township land and becomes part of the township.

SCHENCK Chairman Schenck asked whether they made that as a condition of the Preliminary Plan or whether it would not need to be a condition.

LUCIANI Mr. Luciani responded that it is covered in the Developers Agreement.

HOLMAN Mr. Holman stated that the Developers Agreement had been approved in the previous meeting.

MR.MR. GURRERI MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-03, SENIORLIFE-YORK, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **STORMWATER (§281-19) REQUIREMENTS FOR EROSION AND SEDIMENT CONTROLS;**
- **SALDO (§289-12.C) FINAL PLANS; PROCEDURE; GUARANTEE;**
- **SALDO (§289-17.D) WETLAND IMPACT STUDIES;**
- **SALDO (§289-76) FEES;**
- **SALDO (§289-13.A) FINAL PLAN SPECIFICATIONS.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-08-02 – Rite Aid/Jiffy Lube – Final Plan, Expires 2/25/09 (Action)

SCHENCK Chairman Schenck introduced item B and reminded the Board that it covered the Subdivision component of the plan.

RAO Mr. Rao provided background information as documented in his November 19, 2008 briefing memorandum for SD-08-02. The plan proposed to consolidate four existing parcels of a combined 2.83 acres into two (2) newly created separate parcels for a Rite Aid Pharmacy and a Jiffy Lube. He provided a PowerPoint review of the plan including Highlights, Plan History, Project Location, Adjoining Zoning District, Aerial View, Present Site, Existing Plan, Proposed Subdivision Plan, Color Rendering including Landscaping. He introduced Mark Heeb of BL Company.

SCHENCK Chairman Schenck asked for clarification that the old lot lines would be lifted and two new lots created.

RAO Mr. Rao indicated that the lots are being consolidated and the two new lots are being created.

HEEB Mr. Heeb, Consultant for the project, had prepared the plans. He represented RAP East Market York LLC as the developer. He indicated that Mr. Rao had covered everything.

SCHENCK Chairman Schenck asked whether the Jiffy Lube was in operation and whether the home was still occupied.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 19, 2008
APPROVED**

- HEEB** Mr. Heeb responded that the home was vacant. The only operating use there is the existing Jiffy Lube.
- SCHENCK** Chairman Schenck asked whether either property would be non-conforming, at least for a period of time prior to any changes.
- LUCIANI** Mr. Luciani responded that there are multiple uses on the lot and he did not believe they would be non-conforming. With the subdivision there could be multiple users on that lot. The properties were rezoned, and they're all non-connected bodies. Jiffy Lube is not a non-conforming use because they received approval for the blighted area.
- HOLMAN** Mr. Holman added that it was in the Flexible Development zone.
- HEEB** Mr. Heeb indicated that with the subdivision plan there will be just one use.
- GURRERI** Mr. Gurreri asked whether the house was residential. He thought it had been a real estate office at one time.
- LUCIANI** Mr. Luciani indicated that it was not zoned residential but there is a dedicated right-of-way to assist in the Market Street improvements.
- SCHENCK** Chairman Schenck asked whether that was drawn on the plan.
- LUCIANI** Mr. Luciani responded that it was and is shown as an alternate right-of-way, which is dedicated.
- RAUSCH** Solicitor Rausch asked whether the area that was formerly a gas station was under mediation.
- HEEB** Mr. Heeb responded that he was correct, yes.
- RAUSCH** Solicitor Rausch asked where that is located and where the sink holes are located on the plan.
- HEEB** Mr. Heeb responded that it is located in the northwest corner of the plan in the gray box.

MR. GURRERI MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-08-02, RITE AID/JIFFY LUBE, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-11.B) PRELIMINARY PLANS; SPECIFICATIONS;**
- **SALDO (§289-12.C) FINANCIAL GUARANTEE;**
- **SALDO (§289-76) FEES;**
- **APPLICANT SHALL REVISE THE PLAN DRAWINGS INDICATING OFFER OF DEDICATION OF LAND TO THE TOWNSHIP TO THE RIGHT-OF-WAY LINE AS**

SHOWN ON THE PLAN DATED OCTOBER 17, 2008 ALONG EAST MARKET STREET.

- **APPLICANT SHALL SUBMIT A DEVELOPERS AGREEMENT FOR TRAFFIC IMPROVEMENTS AS PART OF THE APPROVAL OF ASSOCIATED LAND DEVELOPMENT PLAN, LD-08-2.**

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. SD-08-06 – Chad Eisenhart Minor Subdivision – Final Plan, Expires 12/19/08 (Action).

RAO Mr. Rao provided background information documented in his November 19, 2008 briefing memorandum. The applicant proposed to subdivide one parcel into two. Presently there are two semi-detached single family dwellings with separate driveways. A driveway easement was required for the residences at 2675 and 2677 North Sherman Street. The plan will create two parcels along the common fire wall of each dwelling. He provided a PowerPoint presentation showing the Plan Highlights, Plan History, Project Location, Adjoining Zoning District, Aerial View, Present Site. He introduced Patty Fisher of Holly Associates to respond to questions.

FISHER Ms. Fisher stated that the project is to subdivide a duplex on a single lot into two separate lots. It involves a common wall of the house. The line follows the common wall of the house and then splits the back line. The house is not parallel with the sides. No plans are being made for any improvements; however, a number of waivers are requested.

RAO Mr. Rao stated that the waivers were identified on page 4 of the briefing memorandum.

SCHENCK Chairman Schenck identified the waivers as the minor subdivision, the plan scale and the use of iron pins in place of concrete markers. He asked Ms. Fisher if those were the correct waivers.

FISHER Ms. Fisher responded that he was correct. She added that they were unable to provide concrete monuments due to the bedrock in the area.

SCHENCK Chairman Schenck asked whether the property had never sold the way it is due to the fact that there was not a clear title.

FISHER Ms. Fisher responded that the owner had purchased it on a rent-to-own basis and needs clear title to each house.

SCHENCK Chairman Schenck observed that it must have been one owner because it could not have been sold separately.

FISHER Ms. Fisher responded that he was correct. It is a fairly old house and has been like that for quite a while.

- LUCIANI** Mr. Luciani confirmed the bedrock problem with concrete markers. Iron pins are acceptable.
- FISHER** Ms. Fisher stated that they do have a signed copy of the driveway agreement as well, which is ready to be recorded.
- RAUSCH** Solicitor Rausch asked whether the driveway will service both of the new lots.
- FISHER** Ms. Fisher responded that the driveway services one of the lots and the neighbor.
- RAUSCH** Solicitor Rausch asked whether there was a separate driveway on the other side. He asked whether that would be a shared driveway.
- FISHER** Ms. Fisher responded that he was correct in that there is a separate driveway on the other side. However, it would be separate from the property in question.

MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-08-06, CHAD EISENHART MINOR SUBDIVISION, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS:

- **SALDO (§289-14) MINOR SUBDIVISION WAIVER**
- **SALDO (§289-13.A) FINAL PLANS; SPECIFICATIONS;**
- **SALDO (§289-26.A) MONUMENTS.**

WITH REFERENCE TO SUBDIVISION PLAN SD-08-06, CHAD EISENHART MINOR SUBDIVISION, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-13.A.4) APPLICANT SHALL PROVIDE OWNERS SIGNATURE ON THE PLAN;**
- **SALDO (§289-76) ALL OUTSTANDING ENGINEERING, LEGAL, RECREATION AND/OR ADMINISTRATIVE FEES SHALL BE PAID PRIOR TO THE RECORDING OF THE FINAL PLAN;**
- **PROVIDE A COPY OF THE SIGNED AGREEMENT FOR RECORDING OF THE JOINT DRIVEWAY USE BETWEEN THE PROPERTY OWNERS OF 2675 AND 2677 NORTH SHERMAN STREET TO THE TOWNSHIP.**
- **SALDO (§289-11.B) APPLICANT SHALL PROVIDE FINAL PLANS ON MYLAR MATERIAL AND PROVIDE A PDF ELECTRONIC COPY OF THE RECORDED PLAN.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. SD-08-05 – James & Joyce Troxell Minor Subdivision – Final Plan, Expires 2/8/09 (Action)

- RAO** Mr. Rao provided background information as documented in his November 19, 2008 briefing memorandum. The project proposed to subdivide one large parcel of 3,187

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 19, 2008
APPROVED**

acres into two parcels of 1.42 acres and 1.76 acres. Mr. Rao provided a PowerPoint presentation reviewing the Highlights of the Plan, Plan History, Project Location (Ridgewood and Wood Stream Drive), Adjoining Zoning District, Aerial View, Existing Plan and Proposed Plan. Planning Commission recommended approval of the subdivision during their October 16, 2008 meeting. He introduced James and Joyce Troxell to respond to questions.

GURRERI Mr. Gurreri asked Mr. and Mrs. Troxell what they planned to do with the property.

TROXELL Mr. Troxell responded that they will continue to own it until the housing market improved.

MR. GURRERI MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-08-05, JAMES AND JOYCE TROXELL MINOR SUBDIVISION, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS:

- **SALDO (§289-14), MINOR SUBDIVISION WAIVER;**

WITH REFERENCE TO SUBDIVISION PLAN SD-08-05, JAMES AND JOYCE TROXELL MINOR SUBDIVISION, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-76), FEES;**
- **SALDO (§289-13.A), FINAL PLANS.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

TROXELL Mr. Troxell thanked the Board and the Staff for the help they needed to accomplish the subdivision.

E. LD-08-10 – Giant Off-Site Fuel Facility – Preliminary Plan, Expires 1/28/09 (Action).

RAO Mr. Rao provided background information in his November 19, 2008 briefing memorandum. The project will redevelop an existing blighted site and proposed to construct a new gasoline facility with five double sided fuel pumps in association with Giant Food Stores, LLC. Mr. Rao provided a PowerPoint presentation showing Highlights of the Plan, Plan History, Adjoining District, Aerial View, Present Site, Existing Plan and Site Rendering. He introduced Doug Gossick, of J. Michael Brill Associates to respond to questions.

GOSSICK Mr. Gossick stated that J. Michael Brill Associates is the engineer for Giant on the project. Giant looked forward to be able to provide rewards to their clients or customers.

HOLMAN Mr. Holman asked Mr. Luciani for the status of the lateral sewer easement that would allow the Duron Paint store to eliminate its septic system.

LUCIANI Mr. Luciani responded that the SEO, Brad Hengst, visited Duron Paint and discovered they had a holding tank that was not connected to the sewer. The nearest

sewer line is at Market Street. Lateral sewer easements are typically 30 feet. The objective is to have Duron work something out with Giant to eliminate any negative impact to Giant.

GOSSICK Mr. Gossick stated that he had discussed the issue with Mr. Luciani and they are waiting for a sketch to reveal the path through the site so it would not impact any landscaping they are proposing on the perimeter. Giant is leasing the parcel of land from Shipley, and as a result they would request that the issue not be connected to the Land Development Plan. They want to cooperate but would not want to be delayed at all by an easement that is not part of this application.

HOLMAN Mr. Holman noted that it would not affect this approval.

SCHENCK Chairman Schenck suggested that he hoped they would work as diligently as possible to accommodate that. He commented that he was surprised to learn of septic in that location.

HOLMAN Mr. Holman noted that no one had thought of it until Mr. Hodgkinson brought it to their attention.

HODGKINSON Mr. Hodgkinson stated that there are other businesses in that area still on septic systems and Duron Paints is an environmental concern.

LUCIANI Mr. Luciani stated that Giant had worked hard to try to appease the township. They are putting the median in and the township felt that was one of the concerns for people coming along Market Street congesting the area trying to make a left turn in. A median will block the driveway going into the Hess gas station. Mr. Luciani noted that he had contacted the Hess Real Estate Department to see whether they were opposed to the median. They have a letter requesting approval, which Hess indicated they will respond to in a few days.

HOLMAN Mr. Holman stated that the original plan for the Hess station was a right-in, right-out, which was approved.

GOSSICK Mr. Gossick stated that he had visited the site. The first driveway has a Do Not Enter sign for traffic leaving the site so it was intended only for rights in. It's got a sign to control it which is probably not very effective, but it's their intent for that just to be a right in per the signage on site.

BOWMAN Mr. Bowman asked whether a motorist could enter the Hess station southbound on Memory Lane.

HOLMAN Mr. Holman responded that it is possible in the lower driveway.

LUCIANI Mr. Luciani stated that if the median were extended further it would really have an impact on the Hess business.

GOSSICK Mr. Gossick added that it would start to impact one of the driveways into the Duron Paint site.

BOWMAN Mr. Bowman noted that there is a sign to indicate not to exit on the front. He wondered if Walgreen's has a handicapped sidewalk in the corner that needed to be upgraded.

LUCIANI Mr. Luciani stated that there are new regulations from PennDOT requiring handicap access. In addition, preemption will be installed with battery backup with all the improvements. If any changes are made to a signal permit on all four intersections on Market Street, they'll want all the ramps to be changed.

HOLMAN Mr. Holman stated that the one at Walgreen's was just put in about two to three weeks ago.

GURRERI Mr. Gurreri asked what would be different.

LUCIANI Mr. Luciani responded that the critical thing is the slope. He had been involved in four or five different PennDOT projects. The general rule is 1/12 which means 8.33%. What they've advised is if it is 8.36% they must be removed. In addition, detectable warning service must be installed so if one person goes by there must be raised truncated domes so they know they're changing the surfaces and going up an incline. Thirdly, they have to line up crosswalk to crosswalk, corner to corner and there are some lining things as well. No longer do they want less than a 90 degree bend but rather a straight across. Previously single ramps on all four corners were required; now they require dual ramps. There were a number of changes in the regulatory rules starting in August, 2008. If the new rulings are violated a waiver must be received from the District Executive. They claim that's not going to be forthcoming because when they waive them the handicapped people who are trying to oppose these changes will fight that and litigate it to the Department.

HOLMAN Mr. Holman noted that this action will take the township another step towards meeting the requirements under the Haines Road Study.

LUCIANI Mr. Luciani added that it will involved the right-of-way as well.

MR. GURRERI MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-10, GIANT FUEL OFFSITE FACILITY, TO APPROVE THE PRELIMINARY PLAN WITH THE FOLLOWING WAIVERS:

- **SALDO (§289-32.A), SIDEWALKS;**
- **SALDO (§289-35.C, LANDSCAPING AND BUFFER YARDS;**
- **SALDO (§289-41.1.3 (D)), ACCESS DRIVE SEPARATION;**
- **SALDO (§289-41.1.6 (E)) ACCESS DRIVE THROAT LENGTH;**
- **SALDO (§289-15,-16,-17,-18,-19,-20,-22,-23,-24) ENVIRONMENTAL IMPACT STUDIES;**
- **SALDO (§289-42.B), OBSTRUCTIONS TO VISION.**

WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-10, GIANT FUEL OFFSITE FACILITY, TO APPROVE THE PRELIMINARY PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-21.E.4.), TRAFFIC IMPACT STUDIES;**
- **STORMWATER SALDO (§281-5), PLAN AND REPORT REQUIREMENTS;**
- **SALDO (§289-12.C), FINAL PLANS; PROCEDURE; GUARANTEE;**
- **A DEVELOPERS AGREEMENT TO BE APPROVED BETWEEN THE TOWNSHIP AND APPLICANT PRIOR TO THE RECORDING OF THE APPROVED FINAL PLAN TO INCLUDE: BATTERY BACKUP, GENERATOR/UTILITY TRANSFER ASSEMBLY, AND PRE-EMPTION AT MEMORY LANE AND EAST MARKET STREET INTERSECTION;**
- **SALDO (§289-76), FEES;**
- **APPLICANT SHALL OBTAIN A PENNDOT HOP;**
- **SALDO (§289-13.A), FINAL PLAN; SPECIFICATIONS-MYLAR;**
- **CONSTRUCTION AND MATERIAL SPECIFICATIONS.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Application for Zoning District Amendment – Graham Street and Eberts Lane (1190 Graham Street)

SCHENCK Chairman Schenck clarified that the review of the application was for the board to determine whether it should move through the process or not.

RAUSCH Solicitor Rausch confirmed that it was a preliminary review.

MACNEAL Attorney Stacy MacNeal represented the property owner, Darrah Motor Sports. She provided a brief presentation concerning the rezoning of the property, which review is summarized:

- Property is located in the vicinity of Interstate 83 and Graham Street.
- Initial use of the property was a granite cutting business; currently Darrah Motor Sports.
- Adjacent property recently acquired next to Eberts Lane to include two parcels.
- Portion of property is not accessible by public roadways.
- Property is located at the juncture of the three municipalities.
- Comprehensive Plan rezoned the property Open Space allowing for single family dwelling, park, playground, public utility facility or group home.
- Owners do not think property is suited for allowed Open Space uses.
- Flood plane and flood way issues will limit any building construction; new maps obtained.
- No new building planned except to add area to work on vehicles.
- Prior use was an existing non-conforming approved use.
- Goals within township to redevelop underutilized, commercial industrial properties.

- Current zoning had been reviewed by Ms. Hull; Open Space has specific protections for streams and natural resources.
- Legally any rezoning would need to have a Statement of Legislative Findings regarding the Comp Plan. The intent of the use would have to be modified as to why it would be changed from Open Space to Industrial; property owner entitled to use the property consistent with the zoning ordinance.

SCHENCK Chairman Schenck called for a motion.

MACNEAL Attorney MacNeal requested that, should the application be denied, whether the board would consider refunding a portion of the fee that was paid for the advertising cost.

RAO Mr. Rao responded that if the action is a denial, they should receive a refund.

MR. DVORYAK MOVED TO DENY THE APPLICATION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

There were no communications.

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 stated that he had been receiving reports regarding parking on Hartford Avenue with regard to both employees and customers of the Eagles Nest when their parking lot is full. He wanted to make the Board aware of that. Chief Eshbach is making sure that the parking is 30 feet away from the stop sign, but it is public parking. The Eagles Nest has 20 more spaces than normally required. It has been an issue that has been raised by residents.

RAUSCH Solicitor Rausch asked whether Mr. Holman wanted to provide some clarification on the Heritage Hills project.

HOLMAN Mr. Holman responded that when Heritage Hills previously presented their plan, one of the final items including the traffic light was if the traffic light does not receive the final approval to go in at Heritage Hills that both the east and west entrances will be right in and right out only. That was his understanding of the Board's final comments when Heritage Hills presented previously.

SCHENCK Chairman Schenck stated that was his recollection. He recalled the developer saying that that was his fall back position, right-in, right-out.

- RAUSCH** Solicitor Rausch stated that there had been some discussion about doing a limited left-hand turn and the developer thought that's what the Board preferred, and that was not my understanding.
- HOLMAN** Mr. Holman indicated his notes reflected right-in, right-out because it was too confusing trying to set hours.
- SCHENCK** Chairman Schenck asked what the other Board members recalled.
- BOWMAN** Mr. Bowman recalled questioning if a motorist was heading west on Route 124 they could not turn left into the site. The response had been yes because they would be putting a median there which would control the right-in, right-out.
- GURRERI** Mr. Gurreri commented that there was nothing but a light up at the other end.
- SCHENCK** Chairman Schenck indicated that would apply to both entrances.
- HOLMAN** Mr. Holman commented that was what he needed from the Board in order to complete the agreement.
- GURRERI** Mr. Gurreri asked whether Mr. Holman wanted to discuss the 2% tax and the York-Adams County Tax Bureau now or later.
- HOLMAN** Mr. Holman responded that there were some additional issues and it was a matter he wanted to discuss further with the Solicitor and then bring back to the Board.

12. ORDINANCE AND RESOLUTIONS

A. Ordinance No. 08-08 – Amending the Code of Ordinances Chapter 56, Article I, Police Pension, Death and Disability Fund.

- HOLMAN** Mr. Holman stated that the ordinance amends the police pension death and disability fund or the pension fund ordinance. It brings the pension fund into compliance with the new IRS regulations and guidelines. There is no impact on the operations of the pension funds or our operations with regard to the pension fund.

SCHENCK Chairman Schenck called for a motion.

MR. GURRERI MOVED TO APPROVE ORDINANCE 08-08. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Ordinance No. 08-09 – Amending the Code of Ordinances Chapter 56, Article II, “Firemen’s Pension, Death and Disability Fund.”

MR. DVORYAK MOVED TO APPROVE ORDINANCE NO. 08-09. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**C. Resolution No. 08-62 – PennDOT Utility Relocation: Cost Sharing Request
Application for Sherman Street Bridge Expansion over Interstate 83.**

HOLMAN Mr. Holman stated that this item involved the normal 50/50 cost-sharing request for raising the manhole covers when the roads are re-done.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-62 – PENNDOT UTILITY RELOCATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 08-63 – Accepting Offer of Dedication for Right-of-Way along Haines Road (Wachovia Bank).

MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 08-63. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 08-64 – Accepting Offer of Dedication for Right-of-Way along Haines Road (Weis Markets).

MR. BOWMAN MOVED TO APPROVE RESOLUTION 08-64. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 08-65 – Accepting Offer of Dedication for Right-of-Way along Haines Road (Walgreens).

MR. DVORYAK MOVED TO APPROVE RESOLUTION 08-65. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch commented that they are trying to catch these as they come forward.

HOLMAN Mr. Holman added that they are going back and checking previous plans. With any new plans coming up, the right-of-way will be accepted in order not to miss the 21-year window.

G. Resolution No. 08-66 – Authorizing the Filing of a Declaration of Taking Condemning Certain Lands for the Purpose of Acquiring Right-of-Way along Mt. Zion Road.

HOLMAN Mr. Holman stated that item G authorizes the declaration of taking right-of-way for the purpose of the improvements along Mt. Zion Road. Mr. Luciani prepared a PowerPoint presentation for the Board's review and full understanding as this is a public safety issue.

LUCIANI Mr. Luciani provided a PowerPoint update on the Market Street/Mt. Zion project. His comments are summarized:

- The location was identified at Mt. Zion Road, Modernnaire Motel, Rite Aid Subdivision, and professional offices along Market Street.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 19, 2008
APPROVED**

- Signal improvements to be made for left southbound turns onto Mt. Zion Road.
- Dedicated right turn onto Edgewood Road; additional left turn lane westbound on Market; new right turn lane northbound on Mt. Zion from Market Street.
- Rights-of-way are needed from 18 property owners; good cooperation from all but two. Remaining owners to provide their appraisals.
- All property owners will be treated the same with appraisals and review by two PennDOT approved appraisers.
- Township will provide for relocation of shrubs and preservation of driveways and grading, which will improve the line of sight distance as well.
- Existing sidewalks will be replaced.
- Deferring a decision will delay the project another month. Goal is to get under construction in spring of 2009.

RAUSCH Solicitor Rausch suggested further discussion during a brief Executive Session with regard to either the acquisition of real estate or potential litigation in terms of Eminent Domain.

Consenses of the Board was to take no action at this time.

13. OLD BUSINESS

SCHENCK Chairman Schenck asked Mr. Holman to wrap up his Metro York position. The Board had questions with regard to the request to participate in the merger study. Chairman Schenck stated that if the Board would like to defer the discussion at this time it would be fine.

DVORYAK Mr. Dvoryak indicated that he appreciated the effort Mr. Holman had put into this review. He had not yet had an opportunity to thoroughly review it. He would like that opportunity before commenting any further.

GURRERI Mr. Gurreri stated that he had read it and was ready to make a decision.

SCHENCK Chairman Schenck asked whether he would place the item on the next Agenda.

HOLMAN Mr. Holman responded that he would place it under Old Business on the next Agenda.

14. NEW BUSINESS

GURRERI Mr. Gurreri announced that next year he is up for re-election and he is not planning to run as there are several people who would like to serve on the Board. He offered to serve on any committee the Board would see fit, Planning Commission or any committee on which he currently serves.

SCHENCK Chairman Schenck reminded the Board of the Executive Session immediately following the meeting.

SPRINGETTSBURY TOWNSHIP

REGULAR MEETING

15. ADJOURNMENT

NOVEMBER 19, 2008

APPROVED

SCHENCK Chairman Schenck adjourned the meeting at 9:25 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**NOVEMBER 10, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Monday, November 10, 2008 at 7:00 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
Mike Bowman

MEMBERS ABSENT: Nick Gurreri

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
Sandy Ratcliffe, Deputy Finance Director
Harish Rao, Director of Community Development
Betty Speicher, Director of Human Resources
David Wendel, Director of Parks and Recreation

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 2009 proposed budgets for Parks and Recreation, Wastewater Treatment, Community Development, Finance, Administration and Other Funds.

Chairman Schenck called the meeting to order at 7:00 a.m.

Mr. Holman distributed 2009 budget review discussion papers to the Board of Supervisors.

Parks and Recreation

Mr. Wendel highlighted the Parks and Recreation Department activities for 2008. He stated approximately 30,000 members of the community and beyond participated in Township sponsored programs. Springettsbury's community-based services which include 130 programs reached over 5,400 participants; an increase of 4 percent from 2007. The annual community events attracted over 25,000 visitors to Springettsbury Township Park.

Mr. Wendel stated a milestone was reached this year with the registration of over 900 youth for the summer playground program for the second consecutive year. Over 400 youth could be found at the eight park sites on a daily basis. Overall, the program served 36 percent of the children in the Township between the ages of 6 and 14. Mr. Wendel anticipates exceeding \$200,000 in revenue in 2008. He noted since 2002, revenues have shown an average increase of 15 percent each year.

Mr. Wendel said he will continue to seek partnership opportunities with community businesses and organizations not only to augment revenues and decrease operating expenses, but to enhance services. He added he will continue to explore grant opportunities to reduce costs and pursue projects related to goals outlined in the Comprehensive Recreation, Park and Open Space Plan.

Mr. Wendel talked about revenues that were generated. The pavilion rentals totaled \$5,035 in rental fees; an increase of 9 percent from 2007. He also stated concessionaire fees totaled \$6,150. Revenue generated through sponsorship, commission fees, grants, donation and ancillary sale items totaled approximately \$85,000. This is a result of relationships established with over 80 businesses and organizations. He said this helps in the recovery of over 90 percent of the event costs associated with Saturday in the Park, Sounds of Summer and the Holiday Tree Lighting.

Mr. Wendel stated a study committee was established to develop a master plan for Pleasureville Park, August Schaefer park and the North Hills site. He explained that funding through DCNR helped cover the cost of the plan. He said these three sites were identified because they were underused facilities that need improvements to become more functional and usable parks. He said the plan should be completed in early 2009.

Mr. Bishop stated Mr. Wendel is doing a great job. He emphasized one area that he sees, looking to the future, is that everything is moving to the web. He said printing costs keep rising each year and he thinks money could be saved through the use of the web for programs, sponsorships, change in programs, etc. He knows that more and more organizations are moving towards the web to save costs.

Mr. Wendel agreed and stated it is an area that he has utilized over the past couple of years. For example, the Township provides on-line registration through Jungle Lasers. Mr. Wendel stated he has used their program for approximately three years and continues to struggle with it. He said it has not been a user-friendly program, however, is willing to give them one more opportunity this year. Mr. Wendel stated that if it does not get any better this year, other options should be considered for another on-line system. Mr. Wendel said on-line registrations have increased, but again the current system is not user-friendly; the majority of people still register by mail.

Wastewater Treatment

Mr. Hodgkinson stated one of the highlights in 2008 for the Wastewater Treatment Department is the completion of the grit removal project. He explained the grit removal improvements had to be completed as the first step in order to meet the requirements set under the Chesapeake Bay Interstate Restoration Agreement. He added another highlight in the Sewer Fund was an increase in trucked waste revenue.

Mr. Holman informed the Board that the operations budget shows a significant reduction over the 2008 budget. This reduction is due to the reduction of debt service payments. He added this is a temporary reduction as the future BNR debt service payments are estimated to begin in 2010.

Mr. Holman stated the sewer capital reserve budget follows the recommendations in the Long Range Planning Study. This includes the movement of the Meadowlands Pump Station project from 2008 to 2009. This will be coordinated with the Norfolk Southern Rail Crossing project to help reduce duplication of permitting and engineering costs.

In regard to the intermunicipal capital reserve budget, Mr. Holman said the BNR project will continue to be the major factor affecting this budget. The Township is continuing to monitor the state grant funding program recently enacted for these projects and will be ready to submit as soon as an application is available from the State. He said the funding should be up to 50 percent of eligible costs to a specific maximum.

Mr. Schenck asked how the biosolids program was doing.

Mr. Hodgkinson stated he had lost one farm that previously utilized the biosolids. He said more and more farmland is becoming developed and unavailable. He stated he is not concerned about the negative press with regard to the use of biosolids. Mr. Hodgkinson said there are some long term capital things they can do to significantly reduce the amount of biosolids they are currently handling. Although it is on the backburner right now, it is something he is looking at and will bring it before the Board at some point in the future. He stated he is continuously looking for more farms that will utilize the biosolids.

Community Development

Mr. Rao stated his department is currently fully staffed with two part-time codes enforcement officers, one plumbing inspector/codes enforcement technician, one sewer and codes enforcement technician, one building inspector/codes enforcement technician, a coordinator and an administrative assistant.

Mr. Rao stated residential development has slowed down, mostly due to the economic situation. He said right now, there is one residential housing development that is doing well. Most of the residential activity involves expansion of homes, additions, etc. Mr. Rao informed the Board that currently there are 25 commercial plans in the system in various stages of review.

Mr. Rao said the part time code enforcement officers are picking up more and more illegal signage in the Township. He stated he schedules them to work on weekends and by doing so, it keeps the illegal signage under control.

Mr. Rao mentioned one of his goals in 2009 is to begin the process of electronic storage of papers and plans instead of paper storage.

Mr. Bishop asked if he has requested funds in the budget to accomplish this.

Mr. Rao answered he has requested \$5,000 in the contract services line item to begin scanning land development plans. He explained he would like to begin with the land development plans because they occupy a tremendous amount of physical storage space.

Mr. Holman added that the majority of the Township files are kept in the basement and they need to be removed due to the moisture in the basement.

Mr. Holman continued with discussion on the revenues and expenditures for the Community Development Department. He stated the major changes to the budget reflect the reduction in housing plan reviews, contract services reduced from \$100,000 in 2008 to \$66,000 in 2009. Further, the Comprehensive Plan costs have been adjusted to reflect the Town Center Gateway planning process. He said this planning is to help facilitate the redevelopment of the Township's existing commercial and industrial zones.

Mr. Schenck asked how much effort is expended to capture the permit fees for the smaller projects. He said he believes the bulk of these projects are not permitted because people just don't think about getting a permit.

Mr. Rao stated a lot of times residents will call the Township when they know their neighbors are doing projects in their homes without a permit. His office will then investigate it.

Mr. Holman offered that he could give the Board a breakdown of revenues based on the number of permits that are issued for smaller projects, residential and commercial, etc.

Finance

Mr. Hadge stated he would like to highlight two things for 2008, 1) warrants are now electronically provided to the Board, and 2) the Sewer Fund financial structure has been overhauled to provide better information to the sister municipalities. He also stated that in 2009, the Township Manager has directed that he would like to see the retroactive pay and salary and benefit projections implemented through the MUNIS program. Mrs. Speicher and two members of the financial staff have recently attended training at the MUNIS conference in order to accomplish this.

Mr. Holman clarified the MUNIS training that staff just received was done so there would be coordination of payroll and benefits on the pay stubs. He said it will allow us to project five year budgets for union contracts, etc. It will certainly be helpful with budgeting in the future. He stated MUNIS representatives will be on site during the first or second quarter of 2009 to assist in loading the programs and to provide additional training to staff. Mr. Holman stated this is just part of our ongoing program to fully utilize the MUNIS financial system.

Tax Collection – Mr. Holman stated the savings over the 2008 budget reflects the reduction in fees for the mercantile, business privilege and occupational privilege taxes that will be collected by the York Adams Tax Bureau.

Debt Service – Mr. Holman stated this is the final payment of the elementary school and municipal building general obligation bonds. He said this will factor into our strategic planning for future capital improvements.

Mr. Bishop asked if there is any other long term debt that is outstanding.

Mr. Hadge responded yes: \$200,000 for Note D of the 2006 road improvements.

Mr. Holman clarified Note D was for the old Med York building and road improvements and that the debt retires in 2015.

Mr. Holman stated that strategic planning needs to be done in 2009 with regard to buildings and grounds.

Mr. Schenck stated he promised Tom Brant that he would bring to the Board's attention his request for a contribution from the Township of \$10,000 towards the dog park at John Rudy Park.

Mr. Holman stated he does not recommend contributing funding to the County Parks. He stated his reasoning is that Springettsbury Township has invested approximately three to four million dollars into its own parks. He said it is unusual to receive requests for donations from a higher agency. If the Township has any additional funds, Mr. Holman recommended investing it into our own Township parks.

Mr. Holman continued his budget review summarizing the following line items with the Board:

- Board of Supervisors (10400)
- Management/Administration (10401)
- Professional Services (10404)
- Contributions (10481)
- Insurances (10486)
- Employee Benefits (10487)
- Other (10489)

Mrs. Speicher thanked the Board of Supervisors for instituting the flu shot program. She stated she has received a lot of positive feedback from individuals that have taken advantage of it. She continued to say she feels the funding for wellness programs is money well spent.

Public Budget Presentation

Mr. Holman stated the next meeting will be the public budget presentation and is scheduled for November 19, 2008 at 6:00 p.m.

Chairman Schenck adjourned the meeting at 8:45 a.m.

Respectfully submitted,

John J. Holman
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**NOVEMBER 4, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Tuesday, November 4, 2008 at 7:00 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
Mike Bowman

MEMBERS ABSENT: Nick Gurreri

ALSO PRESENT: John J. Holman, Township Manager
Dori Bowders, Manager of Administrative Operations
David Eshbach, Chief of Police
Jack Hadge, Director of Finance
Charles Lauer, Director of Public Works
Robert H. McCoy, Jr., Fire Chief (YAUFR)
David Trott, Police Lieutenant
David Wendel, Director of Parks and Recreation

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 2009 proposed budgets for Emergency Medical Services, Police, Capital and Other Funds.

Chairman Schenck called the meeting to order at 7:00 a.m.

Mr. Holman distributed 2009 budget review discussion papers to the Board of Supervisors.

Emergency Medical Services (EMS)

Chief McCoy reviewed his budget requests with the Board.

Mr. Schenck asked what the revenues look like.

Mr. Hadge responded \$450,000 is being projected for 2009. The current revenues to date total \$487,000.

Mr. Schenck asked Chief McCoy to explain the number of missed ambulance calls in the Township.

Chief McCoy stated he is estimating that over the course of one year, 800 calls would be missed. He said the workload has definitely picked up and a lot of the calls are during the day.

Mr. Bishop asked what happens when a call is missed.

Chief McCoy replied that we rely on other ambulances outside of the Township to respond to those calls. He explained that right now, the Township has two ambulances that are staffed; however, as the calls increase some of those calls will be missed. He added that the Township has a third ambulance that is scheduled to be placed up for sale since it is not in use.

Mr. Bishop stated he has expressed for a number of years that he is very concerned that we are missing more and more calls and have to rely on outside sources when an ambulance is needed.

Mr. Schenck asked how costly it would be to put on two shifts or even one shift to help fill the gap.

Chief McCoy stated it would double the budget if 8 more people would be hired to staff the ambulance 24 hours per day. He said it would, however, be a possibility based on the revenues coming in. He said this is a long term goal. He also explained that in addition to the ambulances that respond from outside of the Township, we currently use Memorial Hospital to fill some of the gaps.

Mr. Bishop asked what could be done as a middle ground.

Chief McCoy stated we could always enter into another contract with White Rose Ambulance and place a second ambulance in service during peaks times, such as snow storms, etc., however, you would not have 24 hour per day coverage.

Mr. Schenck asked what the peak times are for the calls.

Chief McCoy stated it is weekdays from 7:00 a.m. to 5:00 p.m. and when most of your businesses are fully activated; Friday and Saturday nights. He stated Sunday is the slowest day. He stated that they have not really sat down and officially analyzed the calls; however it is something he thinks needs to be looked at.

Mr. Schenck stated that the increased number of missed calls is something the Board has been concerned about and it keeps growing.

Mr. Bowman asked who picks up most of the missed calls.

Chief McCoy responded it was Grantley and Hellam.

Mr. Schenck stated he was not comfortable waiting another year to come up with some suggestions or plans to solve the problem.

Mr. Bishop stated it is one of our core responsibilities; people need this service every day in this Township and I think we should address it now.

Mr. Dvoryak agreed and suggested possibly looking at a rate increase, especially with the way fuel prices are now.

Mr. Holman stated he does not feel a good solid plan could be put together in time for the Board by the 19th of November (when the budget is scheduled to be introduced). However, it could be done in February/March of 2009. He said it was a matter of the Board granting the authority to make the adjustments to the budget in 2009. He suggested a February work session be scheduled to look at the options.

Chief McCoy reminded the Board that the third ambulance is scheduled to be advertised for sale in the very near future.

Mr. Schenck asked Chief McCoy to hold off on the advertisement.

Chief McCoy stated he would ask them to hold off on selling it. He stated he could store the third ambulance at the Commonwealth Fire Station until a decision is made by the Board.

Mr. Holman suggested that the third ambulance be examined to make sure it is mechanically sound.

Chief McCoy stated he believes it is sound, however, would have it checked out.

Mr. Holman stated he and the Chief will put together a report for the Board showing several options, the impact on long term financing, etc.

Mr. Schenck stated that is what the Board would like to see – options.

Police Department

Chief Eshbach reviewed his budget requests with the Board. He highlighted the following requests:

- Two additional police officers
- Crime Prevention Coordinator
- Proposal of 12 hour shifts
- 35 Stinger flashlights
- Four tasers
- Four taser cameras
- Force on Force soft air pistols
- Purchase of additional Net Guns
- Portable printer for computerized polygraph
- Garmin Nuvi 250 GPS System
- Real time video surveillance system
- Two overhead Watchguard in-car video systems
- Crash data retrieval system
- Replacement of 20 task chairs (squad room, corporals and detectives)
- Radar traffic counters
- Two patrol vehicles - Replacement of A6 and A12 (one vehicle would be a hybrid – supervisor's car)

Mr. Schenck asked Mr. Holman if he is recommending two additional officers in his budget.

Mr. Holman stated he is not recommending increasing the police force – it has already been increased by two officers through the COPS in School grant. He added that he is also not recommending the hiring of a crime prevention coordinator. He does not see a need for additional police officers in the department. Mr. Holman stated an analysis needs to be completed regarding duties and tasks that are assigned, i.e. the Lieutenants could be utilized in lieu of a crime prevention coordinator being added to the force. Each additional officer would be an additional \$100,000 or more that needs to be budgeted. He stated long term planning needs to be done with regards to the police department.

Mr. Holman stated the proposed police budget is \$2,665,500 as opposed to the 2008 budget of \$2,580,500. He stated significant capital improvements to the police building have been moved to the 2011 capital budget due to the significant renovations that will need to be completed in order to install a new HVAC system. A strategic planning study should be done in 2009 to review options for the police building and HVAC improvements to the administration building. He noted the police building was built in the late 1950's and has undergone approximately four renovations. The debt for the latest renovations will be retired in 2009.

Mr. Holman stated he has recommended moving the new video system purchase to the year 2010-2011 if we go ahead with the renovations. He noted in his capital budget he is proposing a new building for the police department and does not want to make major purchases/upgrades to the video systems in the current police building at this time. He is recommending that the Board hold strategic planning sessions and set up a subcommittee to look into replacing the building. It involves long term funding; therefore it is a policy decision that would have to be made by the Board. Mr. Holman told the Board he asked the Chief to make a listing of what his needs would be in a new building.

Mr. Holman said he is recommending the purchase of the printer for the polygraph, as well as replacement of the two vehicles; one of which would be a hybrid.

Mr. Holman informed the Board that the real estate transfers are down 30-40 percent this year. He added that he is also concerned about the cost of electricity in 2010.

Mr. Dvoryak stated the two officers hired through the COPS in School grant were dedicated to the school program and was wondering what percentage of time the officers are spending in the schools.

Mr. Holman replied 75 percent of their time is dedicated to the schools.

Chief Eshbach stated that equates to them being dedicated to the schools 9 months out of the year; the other 3 months they help out with regular patrols.

Mr. Holman reminded the Board that the grant requires the officers must remain in the schools one year beyond the expiration of the grant; they would have to stay until June, 2011. The grant expires in June, 2010 and that leaves the Township with the responsibility for 100 percent of the costs for those officers.

Mr. Bowman asked the Chief how many officers were currently on the force.

Chief Eshbach responded the Township employs a total of 32 police officers.

Mr. Bowman asked how the police department would operate in the interim should the Board decide to build a new building.

Mr. Holman stated they would remain the current building until the new one was completed.

Mr. Holman recommended taking a very detailed look at the police department through a strategic planning process mentioned earlier. He said he would like to look out about 10 years into the future.

State Liquid Fuels Fund

Mr. Holman stated Township roadway repair and maintenance funds are paid through the Liquid Fuels Tax. This supplements the Capital and General Fund line items. He stated the fund balance as of September 30, 2008 was \$1,213,206.97. Revenue anticipated in 2009 from Liquid Fuels has been estimated to be \$524,524.39 as per notification from PennDOT. Mr. Holman explained that the State Liquid Fuels will assume the majority of road repair and maintenance costs in 2009. The Capital road improvement funds will be utilized for the Davies Drive Rail Crossing. He mentioned that the fund also includes the replacement of one 1993 pick-up truck and leaf boxes. He stated the leaf boxes are also included in a grant application. Should the request be approved, a portion of these funds will not need to be expended and will return to fund balance as a "result of operations" at the end of 2009.

Mr. Holman stated money was taken out of the Capital Fund balance to jump start the road program and it was a good decision. He stated that we now are relying very heavily on State Liquid Fuels for our road projects. Mr. Holman also informed the Board the Township is not having any problems obtaining road salt like some of the other municipalities seem to be having.

Mr. Lauer stated he would like to look at the hot mix program. If our hot mix program exceeds the 100 tons of liquid, the price can automatically be kicked up. We should know where asphalt will be in April. Mr. Lauer anticipates the price coming down.

Mr. Holman informed the Board that the Township has incurred increased costs with regards to the new requirements for prevailing wages.

Petitioned Street Light Fund

Mr. Holman said this is a separate user assessment based on street lights within the Township. Township management completed a full review of all properties and has corrected any known issues with regard to ensuring that all properties this applies to are being billed properly in 2007. This will be followed up in 2009 and each year thereafter. This has led to an increase in revenues. Mr. Lauer is continuing to replace the old style wooden pole lights with the newer lights. The fund balance as of September 30, 2008 is \$21,289.52.

Capital Improvement Fund

Mr. Holman stated the Township will continue with its road improvement program with the installation of the Davies Drive rail crossing. He stated the 2009 proposed capital budget includes a preliminary five year budget through 2013 as requested by the various department directors. The fund balance as of September 30, 2008 is \$517,742.84.

Mr. Holman informed the Board that he has postponed the “voice over IP” project until it is decided what will be done with the police building (renovations or new building).

Storm Water Fund

Mr. Holman stated the Storm Water Fund is used to cover costs associated with maintenance (grass cutting) of drainage, storm water and detention basins dedicated to the Township. The fund balance as of September 30, 2008 is \$96,063.20.

Waste Reduction Fund

Mr. Holman explained that these funds are used to cover costs of recycling, leaf disposal and administration of trash contracts, etc. Documentation of costs associated with these items, including General Fund recycling efforts, is essential in retaining eligibility for recycling grants. The 2008 recycling grants contributed \$105,000 towards covering Township operational costs. The fund balance as of September 30, 2008 is \$137,793.40.

Mr. Schenck asked how the Township is doing with regard to the enforcement of commercial recycling.

Mr. Holman stated we have had good cooperation. A mass mailing to all businesses in the Township is currently underway. The purpose of the mailing is to inform and educate the businesses that they are required to recycle and to also have them tell us what and how much material they are recycling. He stated if the businesses do not turn in the required information to the Township, then the enforcement program begins.

Library Fund

Mr. Holman said interest from the fund balance is sent to the County library. This is in addition to the \$37,000 per year budgeted by the Township for the County library. Mr. Holman noted he is looking into the option of providing a library book check-out service at the municipal building during business hours. Manchester Township is currently providing that service to their residents. Mr. Holman provided a copy of Manchester Township’s agreement to the Board for review.

Mr. Schenck asked if the \$6,000 would not be given to the Art Institute of York should the Board decide to provide the book check-out service to our residents.

Mr. Holman stated that is correct, the funds would not be given to the Art Institute of York.

Harry Joseph Schenck Trust Fund

Mr. Holman stated these funds are for the maintenance and repair of the natural area at Stonewood Park. Any budget approvals are done in consultation with the Trust Fund Board. The fund balance as of September 30, 2008 is \$53,134.68.

Mr. Schenck mentioned for informational purposes that there is periodic maintenance done at the park voluntarily by members of the community - at no charge to the fund.

Subdivision Recreation Fund

Mr. Holman stated this fund includes a minimum allocation of \$30,000 for improvements. The \$30,000 will be received from the grant reimbursement due from the State in 2009 for the park master plan study. Future funding options will need to be explored. The fund balance as of September 30, 2008 is \$89,477.61.

Mr. Wendel presented the history on how the Subdivision Recreation Fund has been utilized through the years (resurfacing of basketball courts, benches, Americans with Disabilities Act (ADA) projects, etc.). He stated he proposes to continue working towards improving accessibility in all of the parks. Mr. Wendel stated he would like to add an accessibility route to the picnic areas and basketball facilities in District 3. He mentioned the possibility of a walking path at Stonewood Park.

Mr. Schenck asked if the Board should be concerned about the aging of the Creative Playground.

Mr. Wendel replied that the playground was built in 1991. He feels serious consideration should be given to the replacement of that playground because of the ADA issues. He stated the Creative Playground is one of the most heavily used playgrounds in the Township. He spoke with the Leathers Group regarding specifications for safety improvements, however, there is only so much that can be done as it stands now.

Mr. Schenck asked if it was structurally sound.

Mr. Lauer replied it was.

Mr. Holman added that he has asked First Capital Engineering to look at the structure. Mr. Holman said it is an 18 year old park facility and it is well beyond the lifespan of that type of playground.

Mr. Wendel stated he feels the playground needs to be looked at with regard to preserving it or building a new structure. Any structure that is used that heavily needs regular attention.

Mr. Bishop stated he feels the Board needs to look at "big picture" planning. Speaking of new buildings and now the Creative Playground issue; he feels the entire property needs to be looked at to see where we want to be in 10-20 years.

Mr. Holman agreed that the Board should analyze the needs and options all at the same time.

Mr. Bowman asked Mr. Wendel why there are no backboards on the tennis courts.

Mr. Wendel responded the Park and Recreation Board and YSM didn't think it was a good idea for basically two reasons: 1) when you have someone just hitting a ball against the backboards, it takes up an entire court and limits others from playing a game of tennis, and 2) there is the strong possibility that people would use the backboards in ways that it was not intended, causing a lot of damage; i.e. hitting baseballs against it, etc.

Mr. Schenck announced the work session would now have to come to an end, as several Board members were on a time deadline, therefore there would be a lack of a quorum.

Mr. Holman stated they would continue with the Recreation Department budget at the next meeting.

Additional Budget Work Sessions

Mr. Holman stated the next budget work session is scheduled for November 10, 2008 at 7:00 a.m.

Chairman Schenck adjourned the meeting at 8:55 a.m.

Respectfully submitted,

John J. Holman
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 23, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 23, 2008 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
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

GURRERI Mr. Gurreri welcomed the attendees and reminded everyone to vote. He asked that the men and women in the armed services be remembered in prayer.

SCHENCK Chairman Schenck reported that Mr. Dvoryak was unable to attend the meeting.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session was scheduled for immediately following the Regular Meeting this date to discuss the Collective Bargaining with the police union. No additional Executive Sessions had been held.

3. COMMUNICATION FROM CITIZENS

STUHRE Mr. Charles Stuhre, 3680 Trout Run Road brought forward two items. He indicated that, although a traffic light with a left-turn arrow had been planned during the development of the Yorktowne Center, no left-turn arrow had been installed. Secondly, the traffic light at North Hills Road and Industrial Highway does not safely direct traffic. He cited the location and synchronization of the lights and stated that it is a safety hazard.

GURRERI Mr. Gurreri mentioned that he noticed the same issue.

SCHENCK Chairman Schenck commented that he understood there was a response to that situation.

HOLMAN Mr. Holman responded that the light was designed that way for a specific reason. He explained that the light southbound prior to the railroad track turns red sooner than the southern light and stays green longer to allow the traffic to flow out. When a green light can be seen, motorists can continue through. However, the other light can't be seen and stays red to keep traffic from flowing.

STUHRE Mr. Stuhre cited the light situation at Philadelphia and Broad Street, which is much simpler. The light is visible in both directions and also is a stagger light.

SCHENCK Chairman Schenck asked whether there was any update on the signal at Pleasant Valley Road.

HOLMAN Mr. Holman responded that through a Developer's Agreement, significant improvements will be made to the intersection at Pleasant Valley and Mt. Zion Road intersection.

SCHENCK Chairman Schenck asked specifically whether it would provide the turning arrow.

HOLMAN Mr. Holman responded that it would as long as the traffic study warranted the improvement, a left-turn arrow is required.

LUCIANI Mr. Luciani added that the Metso development on the corner of Pleasant Valley Road, along with the Triplett Springs Development, will provide for the southbound Mt. Zion left turn and the Pleasant Valley left turn.

BISHOP Mr. Bishop agreed with Mr. Stuhre on his point concerning the North Hills Road traffic light, which causes significant confusion of motorists driving there and is a hazard.

HOLMAN Mr. Holman responded that the issue could be raised with PennDOT; however, the same issue had been raised before.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHENCK Chairman Schenck stated that Mr. Schober had provided a written report but would not be present at the meeting this date.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani indicated he had submitted a written report as well. He had three updates. First, he met with Heritage Hills and PennDOT to try and coordinate the road improvements and signals. He stated that a meeting will be held at Wisehaven on November 6th regarding traffic improvements at 124/24 and Mt. Rose Avenue. During one of the more recent meetings York Township was present. A letter had been sent to the car wash business stating that the light at Chambers Road will be eliminated, which may open the door for a signal at Plymouth Road, as long as that can mitigate traffic. Mr. Luciani stated that Heritage Hills development will be up for action at the next Planning Commission meeting to get direction. It appears that traffic will funnel to Plymouth Road as a single intersection to manage all traffic in and out of Springettsbury. PennDOT is reviewing right-of-way taking to make that happen. The contractor for the Safe Routes to School project has had several weeks delay, but the work had started. There will be some daily liquidated damages of a few hundred dollars, and the contractor is aware of that and moving forward. Mr. Luciani indicated that a 700,000 pound, 12-foot wide, 18-foot high piece of equipment needed to be moved through Springettsbury Township. Mr. Luciani had coordinated this with Messrs. Holman, Lauer and Chief Eshbach.

5. CONSENT AGENDA

- A. Johnston Construction Co. – Application for Payment No. 13 – Grit Removal Improvements Project in an amount not to exceed \$188,253.45**
- B. T. R. Stoner General Contractor – Application for Payment No. 8 (Final Payment) Penn Oaks Park Project in an amount not to exceed \$4,466.**
- C. Regular Payables as Detailed in the Payable Listing of October 23, 2008.**
- D. Acknowledge Receipt of September 30, 2008 Treasurer’s Report.**
- E. Board of Supervisors Meeting Minutes – September 25, 2008.**
- F. LD-07-08 – Time Extension – Heritage Hills – Plan Expires 11/23/08 (New Plan Date 2/23/09).**
- G. LD-08-12 – Time Extension – Yale Electric – Plan Expires 11/25/08 (New Plan Date 2/25/09).**
- H. SD-08-02 – Time Extension – Rite Aid/Jiffy Lube – Plan Expires 11/25/08 (New Plan Date 2/25/09)**

- I. SD-08-03 – Time Extension – Pam Long – Plan Expires 11/25/08 (New Plan Date 2/25/09).**
- J. SD-08-05 – Time Extension – Joyce & James Troxell – Plan Expires 11/8/08 (New Plan Date 2/8/09)**

SCHENCK Chairman Schenck asked whether anyone wanted to remove any item from the Consent Agenda.

GURRERI Mr. Gurreri asked about an item concerning the Treasurer’s Report. He indicated it was a very good report, and he wondered whether there was anything else that needed to be discussed with the Treasurer regarding suggestions or ideas for budget purposes.

SCHENCK Chairman Schenck indicated that the Board had requested a presentation.

HOLMAN Mr. Holman responded that a presentation will be made during the budget presentation. During the Pension Board meeting there will be a full review of the investments.

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH J. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT TO APPROVE ITEM E.

6. ACCOUNTS PAYABLE

This item was acted upon during the Consent Agenda.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Developers Agreement with York Properties Associates, LLC for Property along Memory Lane Extended (Senior Life York)**

MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO DEVELOPMENT AGREEMENT WITH YORK PROPERTIES ASSOCIATES, LLC FOR PROPERTY ALONG MEMORY LANE EXTENDED (SENIORLIFE YORK). MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Developers Agreement with KVM Springettsbury Partners, LLC for Improvements to the Intersection at Pleasant Valley Road and Mt. Zion Road (Metso Minerals).**

HOLMAN Mr. Holman noted in his supplemental report that there is a revised plan. The update is in section 6 where it refers to a secondary access to be provided. That was part of the discussion in the Land Development Plan.

MR. BOWMAN MOVED TO AUTHORIZE TO ENTER INTO DEVELOPMENT AGREEMENT WITH KVM SPRINGETTSBURY PARTNERS, LLC FOR IMPROVEMENTS TO THE INTERSECTION AT PLEASANT VALLEY ROAD AND MT. ZION ROAD (METSO MINERALS). MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman stated that there were additional items for action. The Developers Agreement needed action along with easement agreements. These items deal with the same project, LD-08-07, Kinsley Equities, better known as Komax Development site. The agreements had been completed and reviewed by him, the Solicitor, the Civil Engineer and the Environmental Engineer. The easement agreement dealt with sewer line relocation and improvements. The developer had received a grant as part of the redevelopment, and in order to stay on schedule, they requested action. He suggested authorization of the Developers Agreement, the Sewer Easement Agreement and the Termination Agreement.

MR. GURRERI MOVED WITH REFERENCE TO KINSLEY LIMITED PARTNERSHIP AGREEMENTS, AGREEMENTS RELATED TO LAND DEVELOPMENT 08-07 TO APPROVE THE DEVELOPERS AGREEMENT, THE SANITARY SEWER EASEMENT AGREEMENT AND ALSO THE AGREEMENT TO TERMINATE THE SEWER EASEMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Purchase One 2009 Ford Pickup Truck with Snow Plow from Day Ford Fleet Sales through the Central Westmoreland Council of Governments Cooperative Purchasing Program at a cost not to exceed \$36,000.

HOLMAN Mr. Holman stated that the purchase would be made through the Central Westmoreland Council of Government, funded in 2008 budget by liquid fuels.

MR. BISHOP MOVED TO AUTHORIZE PURCHASE OF ONE 2009 FORD PICKUP TRUCK WITH SNOW PLOW, NOT TO EXCEED \$36,000. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Purchase One 2009 Ford Pickup Truck from Day Ford Fleet Sales through the Central Westmoreland Council of Governments Cooperative Purchasing Program at a cost not to exceed \$29,000

MR. BISHOP MOVED TO AUTHORIZE PURCHASE OF ONE 2009 FORD PICKUP TRUCK IN AN AMOUNT NOT TO EXCEED \$29,000. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-08-03 – SeniorLife York – Preliminary Plan, Expires 1/25/08 (Action)

RAO Mr. Rao provided background information in his October 23, 2008 memorandum. The project proposed to construct a 15,924 square foot one-story facility for use as an adult daycare at 1460 Memory Lane Extended. He gave a PowerPoint presentation which included highlights of the plan, plan history, project location, adjacent zoning district, aerial view, present site, storm water swale, roadway widening, existing conditions, proposed land development plan, elevation renderings, and site rendering. The developer had met with Zoning Hearing Board June 5, 2008 allowing the maximum front setback to be changed from 35 feet to 45 feet, and obtained approval from Planning Commission September 18, 2008. Mr. Rao introduced Joel Snyder of RGS Associates, who was present to respond to questions, along with Scott Sausa of York SeniorLife.

SNYDER Mr. Snyder stated that this is a jurisdictional stream challenge and they are working through a number of different issues with the township to close the stream off, either by a box culvert or pipes and get permits from the Army Corps, which will allow them to widen Memory Lane and bring it up to township standards. Developers Agreement provides for some alternatives if, for some reason, between the developer and the township they are not able to work that out with the Army Corps, there are some alternatives provided as to how to improve Memory Lane in some other ways. In the meantime, in order to provide some assurances, the developer be providing a Letter of Credit for the township engineer to approve in conjunction with that.

HOLMAN Mr. Holman stated that the township staff and the developer did meet with the Corps of Engineers and DEP to review the storm channel. There did not seem to be a problem.

SNYDER Mr. Snyder reported that they had one site meeting and things seem to be on the right track. They have another meeting coming up. When closing off a stream, one of the things they are required to do is some mitigation somewhere else in the township. They had identified Stonewood Park as a place where some plantings and enhancements could be done there, all of which is being discussed with township staff as a follow up with Army COE and DEP to be sure they are on board prior to filing for a permit.

SCHENCK Chairman Schenck asked for further explanation about the mitigation.

LUCIANI Mr. Luciani indicated that the field meeting was beneficial because typically during the initial investigation with the COE they don't like to see streams being closed. This situation would allow for widening the

roads. During a site review of the channel with the Corps they saw what was happening and the difficult way to stabilize that embankment. The water falling wasn't very good so the Corps representative provided a verbal approval to close that stream. Mitigation must be done with one channel, but they provide a wide range of opportunities. The mitigation could be done in Lancaster, York, or Adams Counties, however, it is preferable to stay in the same waterway. Upon investigation it was determined that because other work had been done at PennOaks Park recently, Stonewood Park was thought to be a better candidate. Plans are being finalized to do something significant at Stonewood.

SCHENCK Chairman Schenck asked whether that would stabilize the stream where it comes through the park.

LUCIANI Mr. Luciani responded that it would, by potentially laying the slope back. There will also be plantings to provide for shade. Any plans will not interrupt the soccer fields.

HOLMAN Mr. Holman added that there are two bridges across the stream, and they will need approvals for that, but to stabilize the bank will be an improvement as a whole.

SNYDER Mr. Snyder mentioned that they have three waivers that go with the plan, one of which is related to the road widening

SCHENCK Chairman Schenck noted that the Board had approved the Developers Agreement noted in item 6. He asked whether they anticipated any additional items.

HOLMAN Mr. Holman responded that no additional items were anticipated. He indicated working with this was one of the more challenging sites even though there will have to be a temporary bridge to cross that culvert.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN 08-03, SENIORLIFE-YORK, TO APPROVE THE PRELIMINARY PLAN WITH THE FOLLOWING WAIVER AND MODIFICATIONS:

- **WAIVER OF STORMWATER (§281-7.A.7), DESIGN CRITERIA STORMWATER MANAGEMENT FACILITIES;**
- **MODIFICATION OF SALDO (§289-11.C (6)), LANDSCAPING AND BUFFER YARDS;**
- **MODIFICATION OF STORMWATER (§281.7.A.9), DESIGN CRITERIA STORMWATER MANAGEMENT FACILITIES-SIDE SLOPES.**

MR. BOWMAN MOVED, WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-03, SENIORLIFE-YORK, TO APPROVE THE PRELIMINARY PLAN WITH THE FOLLOWING CONDITIONS:

- **STORMWATER (§281-19) REQUIREMENTS FOR EROSION AND SEDIMENT CONTROLS;**
- **SALDO (§289-12.C) FINAL PLANS; PROCEDURE; GUARANTEE;**
- **SALDO (§289-17.D) WETLAND IMPACT STUDIES;**
- **SALDO (§289-76) FEES;**
- **SALDO (§289-11.B) PRELIMINARY PLAN SPECIFICATIONS.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-08-06 – Sheetz Convenience Store – Final Plan, Expires 12/23/08 (Action)

RAO Mr. Rao provided background information on the project, which proposed to construct a 4,997 square foot Sheetz Convenience Store at East Market Street and Stonewood Road. His memorandum of October 23, 2008 documented the details. Planning Commission recommended approval to the Board of Supervisors on August 21, 2008. Several additional approvals were granted by the Board of Supervisors, all of which was documented in his memorandum. Mr. Rao provided a PowerPoint presentation of the plan which included the highlights of the plan, plan history, project location, adjoining zoning districts, aerial view, present site, existing conditions plan, proposed land development plan, elevation rendering and site rendering. Mr. Rao introduced Mike LaCesa, representative of the plan, who was present to respond to questions.

LACESA Mr. LaCesa indicated that they had executed the Developers Agreement and sent that in to the township.

HOLMAN Mr. Holman confirmed the Board’s action on the Developers Agreement made during the previous Board of Supervisors meeting.

SCHENCK Chairman Schenck asked whether there had been any change on the note from the preliminary to final plan.

LACESA Mr. LaCesa responded that there had not. He provided an update on PennDOT progress. They had sent a waiver request for a Traffic Impact Study in May. PennDOT responded in August that there was no need to provide a study. However, they have not received PennDOT approval to date.

- HEINZ** Attorney Ambrose Heinz of Stevens and Lee, Attorney for Sheetz provided a clarification that his information indicated that the Developers Agreement had been approved at the last meeting.
- BISHOP** Mr. Bishop stated for clarification that when the Board approved a waiver with a preliminary plan, there is no need to grant that waiver again. He asked whether that waiver changed.
- LACESA** Mr. LaCesa responded that it had not changed and had been approved.
- RAUSCH** Solicitor Rausch indicated there was no need to deal with that waiver again.
- SCHENCK** Chairman Schenck noted that minutes reflected that the motion to approve was with the exception of #10, Developers Agreement. He asked Solicitor Rausch if that could be acted upon separately.
- RAUSCH** Solicitor Rausch responded that it should not be kept as a condition and to re-approve the Developers Agreement.

MR. GURRERI MOVED TO CONFIRM THE APPROVAL OF THE DEVELOPERS AGREEMENT BETWEEN THE APPLICANT AND THE TOWNSHIP, LD-08-06. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT PLAN 08-06, SHEETZ CONVENIENCE STORE, NUMBERS 1 THROUGH 8 AS LISTED ON THE OCTOBER 22, 2008 AND OCTOBER 23, 2008 BRIEFING. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Application for Zoning District Amendment – 3000 – 3014 East Market Street

- SKEPARNIAS** Mr. Skeparnias appeared before the Board to request a re-zoning of his property at 3000-3014 East Market Street, also known as Yorkshire Plaza. He stated that the Planning Commission had reviewed the application and denied the Commercial Highway request and recommended Mixed Use. He stated that his building is divided down the middle and he has Mixed Use in half and Neighborhood Commercial in the other half. He asked for further guidance. His application had requested Commercial Highway.
- RAUSCH** Solicitor Rausch stated that having the entire property in Mixed Use, with what is currently there would provide for the drive-through window, which would not be allowed in Commercial Highway.

SKEPARNIAS Mr. Skeparnias responded that he has approved plans for the drive through window in the Neighborhood Commercial zone now. He asked whether that would move into non-conforming use if the property is re-zoned Commercial Highway.

SCHENCK Chairman Schenck stated that the Board was very clear on what is and is not allowed.

SKEPARNIAS Mr. Skeparnias wondered whether the current uses would be grandfathered if the property were re-zoned to Highway Commercial.

A further lengthy discussion followed, which is summarized below:

- Areas with neighborhoods and schools are not designed for Highway Commercial and would go against the Comprehensive Plan recently adopted.
- Property is split down the middle, which creates many problems.
- Property currently has an intense use now and has in the past.
- Planning Commission viewed it as spot zoning.
- All Neighborhood Commercial or all Mixed Use would solve the problem.
- Review could be made of potential new tenant to determine if it falls within the zoning.
- Property owner needs a reasonable expectation to know how they can use property.

RAUSCH Solicitor Rausch recommended that the Board act upon the application for rezoning as to whether or not to grant approval.

SCHENCK Chairman Schenck indicated that the Board should act on the applicant's request to re-zone Highway Commercial/Mixed Use.

BISHOP Mr. Bishop noted that if the Planning Commission's suggestion that a Mixed Use is a good use, would that change with the addition of Neighborhood Commercial, and would it have to go back to the Planning Commission.

RAUSCH Solicitor Rausch responded that formally it would have to go back to the township's Planning Commission and then York County Planning Commission.

HOLMAN Mr. Holman added that they would have to authorize developing an ordinance which goes back to our Planning Commission for consideration and York County Planning Commission.

SKEPARNIAS Mr. Skeparnias wanted the Board to understand that he has to keep his tenants within the confines of the line going down through the middle of his building.

RAUSCH Solicitor Rausch responded that he would not have a problem if the use were permitted in each zone. If something were done in Neighborhood Commercial that could not be done in Mixed Use, then there would be a problem.

SKEPARNIAS Mr. Skeparnias stated that he would like to resolve the issue of having two zones and come to some clarity to the situation.

SCHENCK Chairman Schenck noted that the application was for Highway Commercial/Mixed Use. His intention was that he preferred Highway Commercial but could live with Mixed Use.

RAUSCH Solicitor Rausch stated that if the Board were to move forward, it would be denying a more intense use. At this point all the Board is doing is authorizing the process to move forward to allow that draft ordinance. It will then move through the process with a public hearing.

MR. GURRERI MOVED TO APPROVE RE-ZONING 3000-3014 EAST MARKET STREET, MAP 46-21, PARCEL NUMBER 0026, TO MIXED USE, GRANDFATHER THE DRIVE THROUGH.

SCHENCK Chairman Schenck stated that he didn't think it was a legal motion.

MOTION DIED FOR LACK OF A SECOND.

MR. GURRERI MOVED FOR AUTHORIZATION TO START THE RE-ZONING PROCESS FOR MIXED USE FOR THIS PARCEL. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SKEPARNIAS Mr. Skeparnias asked whether he needed to re-file.

SCHENCK Chairman Schenck responded no, that an ordinance will be created which must be reviewed by York County Planning Commission. Springettsbury's Planning Commission will review it again, and the ordinance itself will move through a public hearing period.

RAUSCH Solicitor Rausch added that there must be 30 days before a public hearing is called following the ordinance being sent to the Planning Commission so it will take some time. The Board can't do anything until that time.

SKEPARNIAS Mr. Skeparnias indicated he planned to try moving forward and will work with Mr. Holman. He hoped to reach an understanding.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri stated that he had a call from a resident who was happy with the response that Mr. Rao provided in solving a situation for them.

GURRERI Mr. Gurreri mentioned the sewer billing and change to Citizens Bank at a cost of \$1,500.

HOLMAN Mr. Holman responded that the service delivery situation was resolved. He indicated that even though the cost for billing would be approximately \$1,500, it would cost between \$6,000 to \$7,000 to adjust the billing in the different computer programs and is not a viable solution at this time. Mr. Holman explained that what they are looking at is first the service delivery and secondly the cost. Changing/switching banks requires redesigning or re-setting the bills to the bank's software. The goal is to have the best possible service.

SCHENCK Chairman Schenck received a letter from a property owner at 173 Heistand Road regarding a swale and it looked like a property maintenance issue.

HOLMAN Mr. Holman responded that he will review that with Mr. Rao and review the old plans.

GURRERI Mr. Gurreri noted a property near Mr. Skeparnias' property and Eastern Boulevard. Someone has a tarp over a house that has been there for some time, along with a junked car.

RAO Mr. Rao responded that he was aware of the property.

10. SOLICITOR'S REPORT

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

SCHENCK Chairman Schenck asked Solicitor Rausch what Mrs. Stine wanted.

RAUSCH Solicitor Rausch responded that she wants damages for blocking her out of her triangle.

11. MANAGER'S REPORT

HOLMAN Mr. Holman had nothing to add to his written report.

12. OLD BUSINESS

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 23, 2008
APPROVED**

There was no Old Business.

13. NEW BUSINESS

There was no New Business

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the Board that an Executive Session was planned for immediately following adjournment. He adjourned the meeting at 8:40 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**OCTOBER 22, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 22, 2008 at 7:00 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
Charles Lauer, Director of Public Works
Robert H. McCoy, Jr., Fire Chief (YAUFR)

The Board of Supervisors held budget work session number one on the above date and time. The purpose of the work session was to discuss the 2009 proposed budgets for the Public Works Department and York Area United Fire and Rescue.

Chairman Schenck called the meeting to order at 7:00 a.m.

Mr. Holman distributed 2009 budget review discussion papers to the Board of Supervisors. He explained he has received preliminary budget requests from the department directors and is continuing to meet with the directors to review their proposals. He said the recommended budget is being adjusted based on those meetings.

He added that he has had meetings with the Director of Finance to review the various revenue sources to determine what could be anticipated in the year 2009. He noted that the surplus number from 2008 has not been adjusted. The adjustment will be made based on the final recommended budget. Mr. Holman also presented a copy of a review of the revenues of the General Fund that covers the period 2004 through 2008.

Mr. Schenck asked what the revenue totals were at this point.

Mr. Holman responded the departmental proposed budget as of October 3, 2008 is \$13,817,350; Township Manager's 2008 budget amount is \$12,421,500. He noted the original 2008 budgeted amount totaled \$12,080,500. Mr. Holman stated the only place the Township is seeing the impact of the slowing economy right now is in Community Development. He said we would see more of an impact next year as a result of the economy.

Public Works General Fund Proposals

Mr. Lauer stated the major increase is in utility bills; gasoline is a "shot in the dark".

Mr. Dvoryak asked what was spent so far this year on gasoline.

Mr. Hadge responded \$85,000 (through September).

Mr. Lauer stated \$3.50 per gallon will be budgeted for next year.

Mr. Holman informed the Board that they can anticipate a 30 percent increase in electric costs in 2010 due to the de-regulations.

Mr. Bowman asked if Mr. Lauer anticipates doing a lot more training in 2009.

Mr. Lauer responded yes; so far, the Teamster employees have had training in welding, as well as CDL licensing and it is working well.

Mr. Lauer provided further information to the Board for each line item of the Public Works proposed budget.

Mr. Bishop asked what amount in revenue has been collected for rental of the park pavilions.

Mr. Hadge responded \$5,000 has been collected through September of this year. He stated we were doing well; \$3,000 was budgeted for the year.

The Board thanked Mr. Lauer for his budget information.

York Area United Fire and Rescue (YAUFR)

Mr. Holman stated the YAUFR budget provided significant challenges as it reflects the first time a full year budget has been proposed and adjustments to various line items in the Township's overall budget. He gave a quick analysis of the budget:

YAUFR Request:	\$2,127,000 (Springettsbury Township)
General Fund Line Item adjustment:	\$ 655,110
Fire Fund Contribution Line Item adjustment	\$ 107,470
Grant adjustment	\$ 44,000
Estimated 2009 Fire Budget	\$1,320,420
2008 Adopted Budget	\$1,293,500
Total Increase 2008 to 2009 Fire Budget:	\$ 26,920 or 2%

Mr. Holman explained the projected budget from the 2006 analysis of costs for the joint fire showed a total operations cost of \$3,679,334.37. Multiplying this by 55 percent (Springettsbury Township share), we show our estimated contribution at \$2,023,633.90. The YAUFR request is within 5 percent of this number. He said this helps confirm our financial assumptions, prior to the joint fire service formal study, with regard to operational costs.

Chief McCoy restated that this is the first full year budget YAUFR is proposing. He stated he has been analyzing what equipment needs to be replaced, repaired and/or taken out of

the fleet. He also mentioned that he has taken measures to eliminate driving of the fire trucks for unnecessary activities. He stated they have a fire truck at Grantley that gets three miles per gallon, and he is therefore working towards getting rid of it.

Mr. Holman stated he would like to set up a meeting with the YAUFR Finance/Budget Committee to discuss some adjustments to the 2009 budget proposals, He noted the YAUFR budget did not assume the grant monies.

Mr. Schenck asked how they would go about setting up the meeting.

Mr. Holman stated he would ask Chief McCoy to set it up.

Chief McCoy responded that he would get in touch with Messrs. Maust, Fullmer, Schenck and Ms. Ratcliffe to set up a time to meet.

Fire Capital

Mr. Holman presented the 2009-2013 YAUFR Capital Improvements Program to the Board. He reminded the Board that according to the Charter Agreement, each Township Board or Commission must approve the purchase of equipment.

Chief McCoy explained that in 2009, YAUFR is requesting \$35,000 for a new command vehicle and \$450,000 for one of the pumper trucks (Engine 89-2) as they are the two critical needs.

Mr. Holman pointed out the sale of fixed assets amount of \$80,000.

Mr. Bishop asked how many command vehicles are currently in the fleet.

Chief McCoy responded there are four.

Mr. Bishop asked if he was planning to replace one of those.

Chief McCoy answered yes and clarified there would still be four command vehicles after one of them is replaced.

Chief McCoy stated Spring Garden currently has three pumper trucks. His goal is to reduce the number of pumpers to two.

Mr. Schenck noted the fire service had to perform major repairs to equipment in 2008.

Chief McCoy stated that is true. Thus far, \$86,000 has been spent on repairs.

Mr. Dvoryak stated he would like a better understanding of what the Carroll Buracker report recommended as far as equipment needs and replacement and what the Chief is planning to do. He would like to know how close we are to the overall plan.

Chief McCoy said he is continuing to look at all of the equipment and identify what pieces are giving them the biggest problems and what needs to be repaired, replaced or taken out of service.

Mr. Holman pointed out based on YAUFRR's request for a new pumper and command vehicle at a total cost of \$485,000, Springettsbury Township would need to provide \$266,750 as its share of the Capital contribution:

Township Capital Contribution:	\$266,750
Township 2009 Interfund:	\$ 32,530
Fire Fund 22 Contribution:	\$234,220

Mr. Holman stated based on this contribution rate, he would expect the Fire Fund to be fully expended by budget year 2011. He said there is a question of whether any funding will be provided from the volunteer organizations.

Mr. Schenck mentioned that Victory is sitting on \$1,000,000.

Mr. Holman stated the issue of funding depreciation comes into play. He told the Board this is not a requirement, nor does he recommend this method for funding future Capital costs. How these requests are funded is up to the municipalities.

Mr. Dvoryak agreed that capital depreciation is not the way to go and believes that would add a lot of complication if they started transferring money. He stated Springettsbury Township does a good job in managing their reserve funds and again stressed that contribution from depreciation just adds one level of complication that YAUFRR does not need.

Mr. Holman said it is a matter of how we take the money to pay for the vehicles. He stated the Township could take money out of its surplus; it's just a matter of how we want to put money back into the Fire Fund (22). He added that he did not want to see the fund become exhausted.

Mr. Schenck stated he does not agree with capital depreciation. He believes the Township should handle capital as capital.

Mr. Holman stated the question is do we want to agree to purchase a new pumper and command vehicle. It gets down to what the number would be. He doesn't know if any other contributions will come in towards the vehicles. He mentioned that over the past five years, the Township has taken over a lot more costs of the volunteers and the volunteer's funds are growing.

Mr. Schenck stated the Board has two decisions to make – 1) do we agree with the capital plan for YAUFRR for 2009 and if so, 2) how do we fund it. He stated he did not have a real issue with buying a new engine, but \$80,000 worth of repair bills is obscene.

Mr. Holman mentioned there is a lot more control over that now that a fire chief has been hired.

Mr. Schenck agreed.

Mr. Bishop commented that he feels the Board's role for Springettsbury Township is to decide whether we are going to fund the capital (or not) that is recommended by YAUFRR. He stated he personally thinks the Board should fund it; we are willing to invest in the future. On the other hand, I don't think it is this Board's responsibility as to how it is invested or spent by YAUFRR. Either we trust the Commission we set up or we don't. We need to be clear on who does what here.

Mr. Schenck agreed with Mr. Bishop's comment. The decision is, are we going to fund capital, and if so, how?

Mr. Bishop stated he does not agree with the depreciation approach. He said it may be beneficial for YAUFRR to set up rules to provide the discipline on funding future capital if and when other entities join.

Mr. Holman stated for Springettsbury Township, it is through Fire Fund 22.

Mr. Bishop stated Springettsbury Township has the discipline; however, there may be partners that may not be as disciplined when it comes to funding capital.

Mr. Holman stated his concern is what happens in 2011 when Fund 22 is exhausted.

Mr. Bishop said he thinks the Board needs to establish, from Springettsbury Township's point of view, what we are willing to do and not willing to do.

Mr. Schenck asked if there were any Board members that were in favor of depreciation.

There were no Board members that indicated they were in favor of the depreciation approach.

Consensus of the Board was to replace the pumper and command vehicle through the 2009 Capital Improvements Program.

Mr. Schenck asked Chief McCoy to put together a comparison report to address Mr. Dvoryak's questions raised earlier regarding Buracker's overall recommendations for the equipment.

Chief McCoy stated he would do so.

Additional Budget Work Sessions

Mr. Holman stated the next budget work session is scheduled for October 28, 2008 at 7:00 a.m. He said he would propose additional budget work session meeting dates and email them to the Board as well.

**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**OCTOBER 22, 2008
APPROVED**

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

Respectfully submitted,

John J. Holman
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**OCTOBER 9, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, October 9, 2008 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
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Services
Jean Abreght, Stenographer

A. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:50 p.m. He reported that the public hearing had been advertised. The purpose of the meeting was to take input on a proposed change to the zoning ordinance.

B. NEW BUSINESS

A. Ordinance No. 08-07 – Amendment to Section 325-116T.(1) of the Springettsbury Township Zoning Ordinance to Provide for Parking in the Front Yard in the Flexible Development District.

SCHENCK Chairman Schenck stated that Section 325-116T.(1) was intended to clean up an error in the Flexible Zone to allow parking in the front yard area of the properties in that zone.

HOLMAN Mr. Holman stated that there was a conflict in a section of the ordinance and action on this ordinance will clear that up in accordance with the Comprehensive Plan and the original intention.

C. PUBLIC COMMENTS

There were no public comments.

GURRERI Mr. Gurreri asked whether this would apply in a Residential area.

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**OCTOBER 9, 2008
APPROVED**

RAO Mr. Rao responded that it would apply in a Commercial area and not in a Residential area.

GURRERI Mr. Gurreri asked whether residential homes could be built in a Flexible Development zone.

RAO Mr. Rao responded apartments and high density residential only.

HOLMAN Mr. Holman stated that the ordinance would not allow parking in front of a single family home. It was meant for Commercial and Industrial zones.

D. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:55 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 9, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 9, 2008 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
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

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

GURRERI Mr. Gurreri stated that it was nice to see everyone and welcomed Brandon Hewitt and his family. He led the Pledge of Allegiance. He asked everyone to keep the men and women in uniform in prayer.

B. Recognition of Eagle Scout Brandon Shea Hewitt

SCHENCK Chairman Schenck asked Brandon Hewitt to come forward for presentation of his Eagle Scout award. He stated that Springettsbury Township takes a great interest in Eagle Scouts who rise to this prestigious rank. He provided some challenges to Brandon in terms of his responsibility as an Eagle Scout and congratulated him on his achievement. He read Resolution 08-59, which will become a part of the permanent township record. He asked Brandon to introduce the members of his family who were present with him.

HEWITT Brandon Hewitt thanked him and introduced his father, William Hewitt, sister, Kylie Hewitt and his mother, Wendy Hewitt. He also thanked everyone who had assisted him in his church and community.

C. Oath of Office – Special Fire Police Officer Dean A. Saylor, Sr.

SCHENCK Chairman Schenck asked Mr. Saylor to come forward in order to swear him in as a new Fire Police Officer. He reported that Dean Saylor is a member of Grantley and Victory and had chosen to join Springetts Volunteer Fire Company in order to serve as a Fire Police Officer in both townships. Chairman Schenck stated the township appreciated his efforts. He provided the Oath of Office for Mr. Saylor and welcomed him to Springettsbury.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had not been any Executive Sessions since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchar Horn, Inc.

SCHOBBER Mr. Schober reported that the HVAC Study draft report was completed and reviewed with Mr. Holman and Mr. Lauer. Comments will be received and the Study will be finalized within the next few weeks.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported that the Army Corps of Engineers will allow a box culvert to be placed along Memory Lane Extended so that the Senior Life project will be able to widen the road. One caveat is that they will need assistance with their stream mitigation. Their wetland representative is working with Mr. Luciani and township staff. Additional trees and landscaping may be enhanced in one of the parks. There will be some legal agreements for easements which will benefit the developer, improve the roadway at Memory and get a side benefit at one of the parks.

The Safe Routes to school contractor was delayed due to another project. He is aware of liquidated damages and recognizes he has a 45-day window to complete the project. Mr. Luciani had encouraged him to get the work done.

5. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 12 – Grit Removal Improvements Project in an amount not to exceed \$29,130.50**
- B. Regular Payables as Detailed in the Payable Listing of October 9, 2008.**
- C. Board of Supervisors Meeting Minutes – September 11, 2008.**

- D. LD-08-03 – Time Extension – Senior Life York – Plan Expires 10/25/08 (New Plan Date 1/25/09).**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA A THROUGH D. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no additional accounts payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Landscape Easement Agreement with York Container Company.**

HOLMAN Mr. Holman stated that the agreement is a follow up on the approval of the widening of the parking area for York Container Company. The township becomes a party to the easement agreement for the landscaping that needed to be placed between the two parcels of land. If any changes were to occur to that in the future, they would have to come back to the township for approval. This was reviewed by the Solicitor

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO THE LANDSCAPE EASEMENT AGREEMENT WITH YORK CONTAINER COMPANY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Developers Agreement with Sheetz, Inc. for Property Located Along East Market Street.**

HOLMAN Mr. Holman reported that the agreement authorizes improvements to the traffic light to include 12-inch signal heads, pre-emption, battery backup and emergency power hookups, which in accordance with our traffic light specifications, has been reviewed by the Township Solicitor, Township Engineer and Mr. Lauer. Springettsbury is looking forward to these improvements, which will be done by Sheetz as part of their development of the site at Stonewood and Market Streets.

MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO THE DEVELOPERS AGREEMENT WITH SHEETZ, INC. AT THE PROPERTY LOCATED ALONG EAST MARKET STREET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Enter into Escrow Agreement with Equity Industrial A-York Limited Partnership and Equity Industrial A-York, LLC for Property Located on Concord Road and Memory Lane (York Business Center).**

HOLMAN Mr. Holman stated that the item dealt with York Business Center improvements. Under this agreement they will provide the township with cash in a bond for landscape improvements to be held for 18 months. The improvements are guaranteed and if they remain in good condition, the funds would be released back to the developer. With Board approval of this and township receipt of funds, Mr. Holman indicated he would release the remaining bond on the project.

MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO AN ESCROW AGREEMENT WITH EQUITY INDUSTRIAL A-YORK LIMITED PARTNERSHIP AND EQUITY INDUSTRIAL A-YORK LLC FOR PROPERTY LOCATED ON CONCORD ROAD AND MEMORY LANE (YORK BUSINESS CENTER). MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Enter into Settlement Agreement with Norfolk Southern for Davies Drive Rail Crossing**
- E. Authorization to Enter into Amended Settlement Agreement with Norfolk Southern for Concord Road Rail Crossing.**
- F. Authorization to Enter into Joint Petition to Amend Order for Concord Road Rail Crossing.**

HOLMAN Mr. Holman reported that progress had moved forward with Norfolk Southern with regard to the Davies Drive rail crossing. Approval was requested to enter into the Settlement Agreement with Norfolk Southern for that rail crossing. Mr. Holman provided the details of the agreement, which included the cost and details.

DVORYAK Mr. Dvoryak asked what the indemnify amount was on the original Concord Road.

HOLMAN Mr. Holman responded that there was no indemnification amount. It was part of the agreement for the Davies Drive settlement, which they asked for on Concord Road.

RAUSCH Solicitor Rausch stated that the township had agreed that indemnification would be provided through insurance and he was in the process of reviewing the language as to the extent of the insurance coverage.

SCHENCK Chairman Schenck commented that he understood the township currently had that coverage.

HOLMAN Mr. Holman confirmed that the coverage was in place. They want to be sure that the language matches, and the township's insurance consultant's coverage attorney is working with Solicitor Rausch to make sure the language is exactly right.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 9, 2008
APPROVED**

SCHENCK Chairman Schenck suggested that all three items could be acted upon with one motion.

MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO AGREEMENTS, D, E, AND F. PENDING FINAL REVIEW BY THE SOLICITOR. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman thanked Solicitor Rausch, who had worked very hard to be sure these agreements were in place on time.

8. LD-08-08 – KV Springettsbury (Metso Minerals) – Final Plan, Expires 12/23/08 (Action).

RAO Mr. Rao presented background information with regard to KVM Springettsbury (Metso) as documented in his October 9, 2008 Revised memorandum. He provided a PowerPoint review of the plan showing the final plan highlights, plan history, project location, adjoining zoning district, existing conditions, proposed land development plan, site rendering and elevation renderings. He noted that a Developers Agreement is yet to be finalized. Planning Commission recommended approval of the plan on September 18, 2008. Mr. Rao stated that Eric Thomas of LSC Design was present to respond to questions.

A lengthy discussion took place with regard to LD-08-08. A summary follows:

- Legal matter due to name change from KV to KVM to be consistent.
- Stormwater management ordinance required effective head depth of two feet; it exceeded the depth by eight inches for only 15 minutes.
- Ordinance required 50% reduction in total runoff; all stormwater is underground and stored under their parking lot.
- Developers Agreement calls for a right-turn lane at Pleasant Valley/Mt. Zion.
- Some right-of-way on each side of Pleasant Valley Road; township will adopt right-of-way.
- Preliminary Plan waiver includes single point of access to the site. Triplett Springs future development to the north, as well as potential office building will inter-connect and provide multiple points of access – to be included in Developers Agreement.
- Difficulty with providing only one access point involved steep grades along the roadway; asking for a waiver of two entrances.
- Fire Chief reviewed and approved movements with one access.
- Township needed assurance that additional access would be provided during additional development.
- Developers Agreement will provide it with inner-connections.
- Access drive will be designed to street standards.
- No problem with line of sight issues along Pleasant Valley.
- Plan to be conditioned upon approval of Developers Agreement, which would follow ownership of the land.
- All parcels in the tract to be included in the Developers Agreement.

MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 08-08, KVM SPRINGETTSBURY (METS0) THAT WE APPROVE THE FINAL PLAN WITH THE FOLLOWING THREE WAIVERS AS LISTED IN OUR MEMO

- **SALDO (§289-41.A.6.) PROPOSED STREET SYSTEM;**
- **SALDO (§281-7.B.6.) STORMWATER MANAGEMENT FACILITIES;**
- **SALDO (§289-10) PRELIMINARY PLAN SPECIFICATION.**

AND TO FURTHER APPROVE THE FINAL PLAN WITH THE FOLLOWING FIVE CONDITIONS AS LISTED IN THE MEMO:

- **SALDO (§289-12.C) GUARANTEE;**
- **SALDO (§289-11.B.) PRELIMINARY PLAN SPECIFICATIONS;**
- **SALDO (§289-21.D.4) TRAFFIC IMPACT STUDIES;**
- **SALDO (§289-76) FEES;**
- **YCCD APPROVAL;**
- **DEVELOPERS AGREEMENT WILL BE APPROVED BETWEEN THE APPLICANT AND THE TOWNSHIP AND THAT THE DEVELOPERS AGREEMENT WILL INSURE THAT AN ADDITIONAL STREET INNER CONNECTION WILL BE MADE IF THERE IS SUBSEQUENT DEVELOPMENT OF THE CONTIGUOUS PARCELS.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-08-04 – Motter Industrial Tract – Final Plan, Expires 12/23/08 (Action).

RAO Mr. Rao reported background information with regard to the Motter Industrial Tract, which was documented in his October 9, 2008 memorandum. He provided a PowerPoint presentation showing highlights of the plan, which was a final subdivision plan to divide a 32-acre parcel into three separate parcels. Additional information given related to the three lots, plan history, project location, aerial view, adjoining district, existing conditions, and proposed plan. Planning Commission had recommended approval of the plan on September 18, 2008, He stated that David Koratich of LSC Design was present to respond to questions.

SCHENCK Chairman Schenck asked whether there was anything special that the Board should know.

KORATICH Mr. Koratich responded that there was nothing.

SCHENCK Chairman Schenck asked Mr. Luciani for assurance that the wetlands issue had been thoroughly reviewed.

LUCIANI Mr. Luciani responded that a FEMA study had been done. The discussions with the developer wanted the township to take over the road. There had not been a lot of industrial development there and they hope to have a cul-de-sac with dedicated street lights.

SCHENCK Chairman Schenck reminded the Board that this was a subdivision plan. He asked what the intent was of the Developers Agreement and/or whether it would carry over with the land development.

LUCIANI Mr. Luciani responded that it was related more to the land development, as well as it was to relocate a sewer line that was in the way. The township wanted a new sewer line as it was an old terra cotta piece and in discussions with the developer they had agreed to relocate and rebuild the line. The additional plan didn't have a very accessible location and it will not be in a new location. This will be tied both to the subdivision and the land development.

HOLMAN Mr. Holman indicated that the easement where the current line exists is where the new building will be built. The line will be moved outside into the parking lot and they will replace the line going back up Innovation Drive. He indicated it will be a plus to that area.

SCHENCK Chairman Schenck asked whether it would belong with the subdivision or the land development plan.

LUCIANI Mr. Luciani responded that it would apply to the land development.

MR. DVORYAK MOVED FOR APPROVAL OF THE SD 08-04, MOTTER INDUSTRIAL TRACT (KOMAX) TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS

- **SALDO (§289-17.B.) WETLAND IMPACT STUDIES;**
- **SALDO (§289-11) PRELIMINARY PLAN;**

AND WITH REFERENCE TO SUBDIVISION PLAN SD 08-04, MOVE TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-12.C) GUARANTEE**
- **SALDO (§289-11.B) PRELIMINARY PLAN SPECIFICATIONS;**
- **SALDO (§289-76) FEES.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-08-07 – Motter Industrial Tract (Komax, Lot 1) – Final Plan, Expires 12/23/08

RAO Mr. Rao provided background information with regard to LD-08-07 as documented in his October 9, 2008. He showed a PowerPoint presentation documenting the highlights of the plan, plan history, project location, aerial view, adjoining zoning district, plan SD 08-04, and proposed LD 08-07, existing photo, proposed plan, existing sewer, proposed sewer plan, color rendering of the future proposal showing access, parking areas, full landscaping, trees and lighting. Planning Commission had recommended approval on September 18, 2008

LUCIANI Mr. Luciani stated that the Developer's Agreement will cover the small piece up to Market Street. They will need a PennDOT permit for that road. In their timeframe they can't do that, but they agreed, through discussions with staff and some of the negotiations, to fix that last section going up through Market Street.

SCHENCK Chairman Schenck asked for clarification, if and when they decide to build the second building or addition that is included on this plan, whether they only will need a Building Permit.

LUCIANI Mr. Luciani added that if it's not built within five years, at that point they might have to go back through the land development process. If they build within three years, the only requirement will be a Building Permit.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD 08-07 TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS:

- **SALDO (§289-10.) PRELIMINARY PLAN PROCEDURES**
- **STORMWATER (SALDO (§281-7.A.7) MINIMUM BOTTOM SLOPE IN UNPAVED AREAS.**

WITH REFERENCE TO LAND DEVELOPMENT PLAN LD 08-07 TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-12.C) GUARANTEE;**
- **SALDO (§289-13.A.) FINAL PLAN SPECIFICATIONS;**
- **SALDO (§289-76) FEES;**

**THE VACATION OF SEWER AND SEWER EASEMENT AGREEMENT SHALL BE FINALIZED BETWEEN THE APPLICANT AND TOWNSHIP;
DEVELOPERS AGREEMENT TO BE APPROVED BETWEEN THE APPLICANT AND TOWNSHIP.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. SD-07-07 – Heritage Hills Reverse Subdivision – Preliminary/Final Plan, Expires 11/27/08 (Action).

RAO Mr. Rao provided background information in accordance with his October 9, 2008 memorandum. He presented a PowerPoint review of highlights, plan history, project location, aerial view, adjoining zoning district, existing condition plan. The Planning Commission had recommended approval on September 18, 2008. He stated that Keith Good, Architect, was present to respond to any questions.

A lengthy discussion took place regarding the difficulties of moving the plan forward. A summary of the discussion follows:

- Reverse Subdivision Plan will create new lot line which provides for one large parcel.
- Subdivision Plan will be recorded with Land Development Plan approval.
- Land Development Plan contingent upon Subdivision Plan approval.

- Mitigation of traffic situation; working with PennDOT
- York Township is reviewing Reverse Subdivision Plan;
- Developer needs to coordinate reviews and approvals with York and Springettsbury Townships.
- Developer requested conditional approval of Land Development Plan to move forward.
- Conclusion was to be sure the “Subdivision approval is contingent upon final Land Development approval.”

MR. GURRERI MOVED TO APPROVE SD-07-07 HERITAGE HILLS REVERSE SUBDIVISION FINAL PLAN WITH THE FOLLOWING WAIVERS:

- 1. SALDO §§289-10, PRELIMINARY PLAN PROCEDURE**
- 2. SALDO §289-13.A.8, PROVIDE SHEET LAYOUT AT A SCALE OF 1: = 800’.**
- 3. SALDO §289-13.A.19 / 289-17, MONUMENTS.**

WITH REFERENCE TO SUBDIVISION PLAN SD-07-07, HERITAGE HILLS REVERSE SUBDIVISION, MR. GURRERI MOVED TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- 1. SALDO §289-11.B, PRELIMINARY PLAN SHALL BE DRAWN ON MYLAR MATERIAL;**
- 2. SALDO §289-11.B.5, PROVIDE NAME, SEAL AND SIGNATURE OF THE REGISTERED SURVEYOR RESPONSIBLE FOR ANY PROPERTY LINE OR MONUMENT LOCATION ON ALL SUBDIVISION PLANS AND/OR NAME AND SIGNATURE OF REGISTERED PROFESSIONAL ENGINEER AS REQUIRED BY PENNSYLVANIA STATUTE.**
- 3. SALDO §289-12.C, FINAL PLANS PROCEDURE, GUARANTEE;**
- 4. SALDO §289-68.E, ALL OUTSTANDING ENGINEERING, LEGAL, RECREATION AND/OR ADMINISTRATIVE FEES WILL BE PAID PRIOR TO RECORDING OF THE FINAL PLAN.**
- 5. OWNER’S NAME, ADDRESS, TITLE OF THE COMPANY, NOTARY’S SEAL AND SIGNATURE ARE TO BE INCLUDED ON THE COVER SHEET, ALONG WITH THE EQUITABLE OWNER.**
- 6. CONDITIONED ON THE SUCCESSFUL APPROVAL OF LAND DEVELOPMENT 07-08.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

An additional lengthy discussion was held concerning traffic mitigation, a summary of which follows:

- Meetings held with PennDOT to discuss Mt. Rose Avenue improvements.
- Development will add 130 guest rooms and meeting space; traffic will be generated.
- Traffic warrant study by TRG completed: 35 a.m. peak trips increase to 51 peak trips.
- Proposed installation of traffic signal at Plymouth – Planning Commission recommended waiving the requirement; Board recommended pursuing same.

- PennDOT will host November 6 meeting at Wisehaven re/improvements and widening of Mt. Rose Avenue, as well as the Longstown Intersection.
- Included with Longstown improvements is elimination of Chambers Road traffic signal and installation of signal at Plymouth.
- Public support is needed for Longstown improvements; otherwise nothing will be done.
- Heritage Hills Developer proposed to allow existing right-in, right-out on east side of property and control left-turn access with signage and time of day.

9. COMMUNICATION FROM SUPERVISORS

Snyder Property – Water Runoff

BOWMAN Mr. Bowman brought forward a water drainage issue that had been created in front of Mike Snyder's. Mr. Bowman learned Mr. Snyder had discussed this with Rep. Keith Gillespie, who indicated that the state would be liable for the issue. He is in the process of getting that in writing. Mr. Bowman indicated that before the curb and sidewalk was installed, the water had drained off the side and down the creek but now runs along the curb. Someone from PennDOT will visit the site for review. He noted that when it rains the water flows into his driveway, and he was thinking ahead to the winter months.

LUCIANI Mr. Luciani reported that he had followed up with PennDOT and made sure that PennDOT talked to Mr. Snyder. He indicated he would review the PennDOT approval where Mr. Snyder signed off on it. He had discussed the embankment issues, but the area had not had the serious rain as in the previous month.

HOLMAN Mr. Holman noted that they will discuss it with PennDOT.

Tax Collector Issue

GURRERI Mr. Gurreri asked about the tax collector issue and how long ago the letter had been sent.

RAUSCH Solicitor Rausch responded that it had been mailed during the first week of October.

GURRERI Mr. Gurreri asked who the attorney was and when they will get a response.

RAUSCH Solicitor Rausch responded that it was the attorney for the tax collector.

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 stated that he had nothing to add to his written report

12. ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 08-07 – Amending Section 325-116T.(1) of the Zoning Ordinance to Provide for Parking in the Front Yard in the Flexible Development District.**

MR. BISHOP MOVED TO ADOPT ORDINANCE 08-07 AMENDING THE ZONING FOR PARKING. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 08-58 – Authorization to Approve Exhibit “A” (Fire Equipment and Vehicles Appraisal) to the York Area United Fire and Rescue Charter Agreement.**

MR. BISHOP MOVED TO ADOPT RESOLUTION 08-58. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Resolution No. 08-59 – Recognition of Eagle Scout Brandon Shea Hewitt**

MR. GURRERI MOVED TO ADOPTED RESOLUTION 08-59, RECOGNITION OF EAGLE SCOUT BRAND SHEA HEWITT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization to Advertise Ordinance to Adopt Restated Plan Document for Springettsbury Township Police Pension, Death and Disability Fund.**

- E. Authorization to Advertise Ordinance to Adopt Restated Plan Document for Springettsbury Township Paid Firemen Pension Plan**

MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE THE POLICE AND THE FIRE PENSION PLAN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business for discussion.

14. NEW BUSINESS

SCHENCK Chairman Schenck indicated that there were potential additions to the Rec Board and the Historic Preservation Board.

MR. BISHOP MOVED TO APPOINT LEE DAVIS TO THE HISTORIC PRESERVATION COMMITTEE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 9, 2008
APPROVED**

MR. BISHOP MOVED TO APPOINT DAVID SEYLOR TO THE RECREATION BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck reported that he had forwarded information concerning the Emergency Management Director position, which was vacated with Andrew Stern's resignation. A volunteer is needed to create a good plan. He asked the Board to give some thought to the situation. He offered to serve on a subcommittee and put some thoughts together.

BISHOP Mr. Bishop stated that he would be glad to serve on a subcommittee to solve Emergency Management.

15 ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:15 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 25, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 25, 2008 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT
IN ATTENDANCE:** Mike Bowman

**ALSO IN
ATTENDANCE:** John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees. He asked Mr. Gurreri to lead the Pledge of Allegiance.

GURRERI Mr. Gurreri encouraged everyone to come out to Saturday in The Park. He added it was nice to see several York County Parks representatives present. He asked for everyone to remember the people in Texas and the men and women in uniform in their prayers. He led the Pledge of Allegiance.

B. Oath of Office – Special Fire Police Officer Dean A. Saylor, Sr.

SCHENCK Chairman Schenck noted that he was not sure whether Mr. Saylor would be able to be present.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since the last Board of Supervisors meeting. None were planned for this date.

3. COMMUNICATION FROM CITIZENS

Kingston Park Issues

BRODERICK Mrs. Marian Broderick, 445 Meridian Lane, spoke of the sports teams practicing daily and having games on weekends in Kingston Park. They are extremely noisy and have been an invasion of privacy. The residents do not believe that Kingston Park was meant to be an athletic field and are finding the daily practice and noise excessive. Mrs. Broderick also was concerned about her property values. She mentioned that there had been people using the park after dark, and residents have had to telephone the police with regard to that activity. She suggested some additional lighting to discourage the activity.

SCHENCK Chairman Schenck responded that the parks are officially closed at dusk, and the closure was enforceable by ordinance. He was not certain about the sports activity.

HOLMAN Mr. Holman stated that he would check on the issues with Mr. Wendel.

BRODERICK Mrs. Broderick stated that this activity was something new that just began this year and it was primarily soccer teams. She understood that it was seasonal; however, it had been an invasion of their privacy.

BISHOP Mr. Bishop stated that he would like to understand what was new this year because he was fairly certain there had been soccer teams practicing there for a number of years.

BRODERICK Mrs. Broderick responded that she had lived there for 22 years and there had never been teams that practiced daily with games on weekends.

SCHENCK Chairman Schenck stated she should leave her contact information with Mr. Holman.

WETZEL Bob Wetzel, 453 Meridian Lane, stated that his back yard faces the park. He indicated that there had been teams, young children practicing there before, but never actual games. Games bring the parents out to cheer for the children. This activity is six days a week. He stated that First Church of the Brethren provides for parking which is an encouragement to the parents. Many years ago when the park was made available there was the potential for a softball team. However, the residents stopped that for open space. The rest of the park is not used due to this activity. York Suburban Middle School allows a group to use the park over the lunch hour, which amounts to approximately 150 children at one time. Mr. Wetzel indicated the residents do not want to eliminate the park but to bring to the Board's attention that it is pretty invasive.

SCHENCK Chairman Schenck noted that many of the neighborhood parks had hosted organized sports for years. He noted that August Schaefer has Little League and Stonewood Park has Soccer and Rugby.

WETZEL Mr. Wetzel indicated he was familiar with the parks, but stated that there is not homes right against them.

SCHENCK Chairman Schenck noted that there are 13 parks in the township. He was not certain which ones had organized sports.

BISHOP Mr. Bishop reported that he drives by the park once a day, and there had been a significant increase in activity this year. There had always been practices there and organized team practices, but they were always low key. This year for the first time he had seen the lawn chairs lined up and a completely different level. It had been getting bigger and bigger, and he was not exactly sure what had changed.

HOLMAN Mr. Holman indicated that they had played at Penn Oaks, a park which was closed this year for a complete resurfacing and reseeded. Penn Oaks will not open until next year. He thought that might be the reason for more games in that area. He stated that he would review the matter.

BRODERICK Wayne Broderick, 445 Meridian Lane, stated that the neighbors had no problem with the activities happening in the park. The park was designed for children in the playground, shooting hoops, groups of 20 guys on a Sunday evening for soccer. It seemed a little loud, but it's the kind of activity that the park was put there for. It's the new activities that the residents are discussing with the school children and increased noise level at night after hours, along with organized teams and the huge noise level. He did not think that kind of activity really belonged in the middle of a quiet residential neighborhood.

SCHENCK Chairman Schenck responded that the issues will be reviewed.

BISHOP Mr. Bishop stated that the after dusk activity is completely different than the other things that will be reviewed, and the appropriate response would be to call the police every time.

BRODERICK Mr. Broderick indicated that they have called numerous times.

BISHOP Mr. Bishop advised that otherwise there is no way for enforcement as it was not something that could be changed by policy.

BRODERICK Mr. Broderick indicated that he had discussed it with Chief Eshbach, who had promised more patrol.

BISHOP Mr. Bishop indicated that he would not take that as a reason not to call.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober reported that a meeting was held with the contractor to finish the project. They established the Substantial Completion date and compiled all the Change Orders. There are a few punch list items, but they will be done within the

next few weeks. The UV design work was started on the BNR project. A pilot test was conducted with the UV equipment at the site. A unit was provided by the manufacturer for a month. It worked very well and there was good operating data. The Notice of Intent to Award was issued to Tri-State Grouting for the Collection Improvements System. They have 10 days to provide the bonding and insurances.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided several updates to his written report.

- The contractor was able to get the quality control plans approved by PennDOT concerning the Safe Routes to School project. That work will start in a few days and be completed by the end of October.
- A meeting was held with Heritage Hills representatives and PennDOT to discuss the Mt. Rose Avenue/Longstown improvements. Heritage Hills has a clear understanding of when PennDOT will start their project and they had given some advice to Heritage Hills about mitigating some of their traffic. The PennDOT representative indicated that they are focusing on bridges at this time and at any time money could be reprogrammed. The York County Municipal Planning Organization had prioritized the Longstown/Mt. Rose Avenue capacity project. An Open House will be held at Wisehaven on November 6th. The advice the PennDOT representative gave to the developer was that the project has to have good public support and everyone needed to mitigate traffic. There is a lot of opposition to the Mt. Rose/Longstown project, and it could be forced back to the drawing board, which would extend the time frame of the project. They are hoping for some community support, but the big issue is what will happen with the Chambers Road light, which likely will be eliminated. Heritage Hills subdivision plan is moving forward. The land development plan has some issues to address.
- Meetings were held with the Army Corps of Engineers with regard to Senior Life plan on Memory Lane Extended. There is a very big swale and guide rails have fallen away from the road with concrete thrown over the embankment. The developer does not want to go through the Corps permitting process to close in the channel. To resolve that from a maintenance and safety standpoint is to widen the road. The channel could be relocated and a box culvert installed. A meeting was held with a Corps representative and verbal approval was given for the permit issuance. It is not a significant water feature, and the one caveat is that they mitigate the stream off site. That stream mitigation could actually be in a pretty large region, York, Lancaster, so the easiest solution is in a township park. Mr. Holman and Mr. Luciani had discussed that if the developer would approach the township and suggest refurbishment of some streams in some of the parks the township would cooperate. It would be of benefit to the township and help with that road improvement. Their Developers Agreement states that if they can obtain the permit, they will widen the road. They cannot get into their site without a temporary bridge in to the site. They have to decide whether they are willing to spend the money to do the offsite mitigation.

- Mr. Luciani reported on the Rutters permit for North Hills Road. Rutters are working towards closing out the permit. However, there are some safety concerns with the steep embankment along the sidewalk area. Both PennDOT and Rutters will address that concern. It will likely take several more iteration to complete this matter.

5. CONSENT AGENDA

- A. Acknowledge Receipt of August 31, 2008 Treasurer's Report.**
- B. Acknowledge Receipt of August 19, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- C. Acknowledge Receipt of September 2, 2008 York Area United Fire & Rescue Special Commission Meeting Minutes.**
- D. Regular Payables as Detailed in the Payable Listing of September 25, 2008.**
- E. LD-05-18 – Time Extension – Market Street Commons Add On Lots – Plan Expires 10/26/08 (New Plan Date 1/26/09).**
- F. LD-07-11 – Time Extension – 84 Locust Grove – Plan Expires 10/11/08 (New Plan Date 1/11/09).**
- G. LD-08-04 – Time Extension – Stonybrook Professional Center – Plan Expires 10/28/08 (New Plan Date 1/28/09).**
- H. LD-08-10 – Time Extension – Giant Fuel Off-Site Facility – Plan Expires 10/28/08 (New Plan Date 1/28/09).**
- I. LD-08-11 – Time Extension – York County Prison Parking Lot Expansion – Plan Expires 10/29/08 (New Plan Date 1/29/09).**
- J. SD-05-13 – Time Extension – Market Street Commons Add On Lots – Plan Expires 10/26/08 (New Plan Date 1/26/09).**
- K. SD-06-11 – Time Extension – 3308 Becker Tract – Plan Expires 10/25/08 (New Plan Date 1/25/09).**
- L. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 10/26/08 (New Plan Date 1/26/09).**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA, ITEMS A THROUGH L. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

- A. Authorization for Payment of Reimbursement to the Springettsbury Township Volunteer Fire Company in the amount of \$24,727 (roof replacement).**

HOLMAN Mr. Holman reported that item A completed the roof project.

SCHENCK Chairman Schenck stated that the roof project began three years ago with the Volunteer Fire Company doing some repairs to the roof, and it was a capital item through the reimbursement process.

DVORYAK Mr. Dvoryak questioned why it did not appear as a YAUFRR item.

HOLMAN Mr. Holman responded that three years ago the project began with the Volunteer Fire Company. The township would pick up the cost, which will be drawn from the fire fund. This is the final bill to complete the project.

SCHENCK Chairman Schenck added that it was the second payment since formation of the YAUFRR.

MR. DVORYAK MOVED TO AUTHORIZE PAYMENT OF REIMBURSEMENT TO THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY IN THE AMOUNT OF \$24,727. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Whiteford Investments LLC

HOLMAN Mr. Holman reported that he had provided a supplement report on the plan. The plan had appeared on the previous Agenda, but had been pulled because the developer was not sure he was going to move forward with the project. Mr. Holman indicated he would like to have approval on the Whiteford Investments LLC for the Maintenance Agreement, which is for them to maintain that area where they're going to build for the improvements to the roadway there, and which includes the widening and median. If they do decide to move forward they will be able to do so with the documentation of what the township wants done. The documents have been reviewed by the Solicitor.

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO THE MAINTENANCE AGREEMENT WITH WHITEFORD INVESTMENTS LLC AND ALSO TO ENTER INTO A DEVELOPMENT AGREEMENT WITH WHITEFORD INVESTMENTS LLC FOR EACH CORNER OF THE INTERSECTION OF WHITEFORD ROAD AND MEMORY LANE EXTENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-08-05 – Rocky Ridge County Park Restrooms – Final Plan – Expires 11/23/08 (Action).

RAO Mr. Rao provided background information on LD-08-08, Rocky Ridge County Park Restrooms, which he had documented in a September 25, 2008 memorandum. He noted that the project would provide a new restroom facility for use by park patrons to replace existing two restrooms. Improvements include a walkway, gravel off-street parking area and gravel drive. Mr. Rao provided a PowerPoint presentation covering the plan history, park location, adjoining zoning district, aerial photograph, present site, existing overall plan, existing conditions plan and proposed plan. Mr.

Rao stated that Ann Anderson of CEOG Planners and Tom Brant of York County Parks were present to respond to any questions.

ANDERSON Ms. Anderson indicated that they had done a very deliberate investigation to be sure to preserve as many trees and the natural setting as possible. That is one reason why they had requested the variance for the gravel parking spaces.

GURRERI Mr. Gurreri asked how many restrooms there are.

BRANT Mr. Brant responded that a similar project was done a number of years ago in the front of the park with two restrooms, which they have consolidated into one new restroom. The park was created in 1968 with many years of use. The current two restrooms and wooden structures will be torn down to make a major improvement. The new building will be more of a permanent structure.

SCHENCK Chairman Schenck asked whether a holding tank system was located in Hallam Township.

ANDERSON Ms. Anderson pointed out the location of the proposed restroom and the one that potentially is in Hallam Township. She stated that the holding tank in that area will be abandoned. The holding tank that will continue to be used is in Springettsbury Township.

SCHENCK Chairman Schenck noted that Hallam Township had signed off. He asked whether they were aware of that sewage facility.

ANDERSON Ms. Anderson responded that they were. Both Townships understand the plans and Hallam deferred everything to Springettsbury.

SCHENCK Chairman Schenck stated that he had seen a note on the plan about the standard sidewalk.

ANDERSON Ms. Anderson stated that they had been directed by the Planning Commission to add that note, which will be done before the final plan recording.

MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN 08-05, ROCKY RIDGE COUNTY PARK RESTROOMS, TO APPROVE THE FINAL PLAN WITH THE WAIVERS 1 THROUGH 10 AS LISTED ON THE SEPTEMBER 25, 2008 PROPOSED MOTION.

WITH REFERENCE TO FINAL PLAN LD-08-05, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING MODIFICATIONS:

- **MODIFICATION OF SALDO §289-31 CURBS AND GUTTERS;**
- **MODIFICATION OF SALDO §289-32 SIDEWALKS.**

WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-05, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-12.C - APPLICANT MUST, PRIOR TO RECORDING OF AN APPROVED FINAL PLAN, PROVIDE THE BOARD OF SUPERVISORS WITH A PROPER COMPLETION GUARANTEE;**
- **SALDO §289-76 – THE APPLICANT MUST PAY ALL ENGINEERING, LEGAL OR ADMINISTRATIVE COSTS PRIOR TO RECORDING OF THE FINAL PLAN.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-08-06 – Sheetz Convenience Store, Southeast Corner of Stonewood Road and East Market Street – Preliminary Plan – Expires 12/23/08 (Action)

RAO Mr. Rao provided background information as documented in his September 25, 2008 memorandum. The project proposed to construct a 4,997 square foot Sheetz Convenience Store to include gasoline sales, food and drink items and a touch-free car wash facility. Mr. Rao provided a PowerPoint presentation showing the plan highlights, history, project location, adjacent zoning district, aerial view, present site, existing plan, proposed plan, elevation renderings and site rendering. He introduced Ron Lucas, Attorney for Sheetz, to respond to questions.

LUCAS Attorney Lucas added that Mike LaCesa was present, as well as engineers from Rettew. They had attended the September 11th meeting and were seeking approval of the Preliminary Plan. He stated that they are in agreement with the conditions with the exception of #10 concerning the Developers Agreement. They had drafted a Developers Agreement and provided it to the Solicitor. They had incorporated the discussed items, and the Agreement just needed to be finalized.

HOLMAN Mr. Holman noted that the only question related to the Developers Agreement. He had received same by email just prior to the meeting. Attorney Ehrhart had reviewed the Agreement and approved it. Mr. Holman had reviewed it as well. All of the questions were taken care of including the 12-inch head, emergency power, battery backup and pre-emption. In addition, the Agreement states that, should PennDOT require something unexpected, the developer will make a decision whether or not to proceed with the project. While that is not anticipated, there have been PennDOT surprises within HOP permits.

SCHENCK Chairman Schenck noted that his main concern had been noted in Mr. Luciani's report.

LUCIANI Mr. Luciani responded that they had searched for the McDonald's plan information and were well aware of Mr. Schenck's concern, which involved cars coming through the area waiting to turn left, which does not leave sufficient room for motorists going to Cooper/Campbell Chain. McDonald's driveway is about 160 feet from the intersection. This was discussed at length at the Planning Commission meeting, with the conclusion that it was more of a McDonald's problem than it is a Sheetz

problem. Mr. Luciani had hoped to track down the PennDOT permit to determine whether there were some restrictions on the driveway. They would include same in the Letter of Awareness to PennDOT because going through the drive-through, it would be just as simple to come out onto Silver Spur without a problem, and there is left-turn lanes synched at the light.

SCHENCK Chairman Schenck commented that when the Sheetz is built and because of the problem with motorists heading east in, they would have only one travel lane in front of the project.

LUCIANI Mr. Luciani responded that there will be a right-turn lane into their site.

SCHENCK Chairman Schenck stated that there was only one straight travel lane so people in the eastbound lane stop to make a left into McDonald's and then traffic runs off shoulder around them.

LUCIANI Mr. Luciani noted that it was being shown as a hashed area. Rettew, consultant of the project, recommended removing the hashed area for cars waiting to turn left. The township's concern for the lack of a left turn can be included in the Letter of Awareness. Their HOP will indicate a right-turn lane, so there will no longer be a shoulder but rather an established straight-through lane.

SCHENCK Chairman Schenck commented that in order to turn left, motorists will have to cross three lanes of traffic.

LUCIANI Mr. Luciani noted that their driveway is almost 300 feet from the intersection. Nothing they can do at this driveway will cure this problem other than the Letter of Awareness to say that the township is concerned about the McDonald's driveway.

SCHENCK Chairman Schenck stated for the record that he thought everything that can be done had been done to push the driveway as far east as possible. He just did not know how it will affect what takes place on Market Street in front of the development.

LUCAS Attorney Lucas noted that it is a separate issue that the township can address with PennDOT at any time and that Sheetz hopes that in the a.m. peak hour, instead of people turning left into McDonald's, they'll turn right into Sheetz.

GURRERI Mr. Gurreri commented that it might solve that problem.

SCHENCK Chairman Schenck stated that there had been a shared left-turn lane but PennDOT had striped the lane differently.

LUCIANI Mr. Luciani indicated that they will be reviewing the signal permit due to the responsibility to maintain both the crosswalks. Cars are not supposed to be making left turns out across a hashed median, but once the new signal permit is issued, it could be a hashed area, which might help to cure the problem.

SCHENCK Chairman Schenck stated that if it is not fixed, Sheetz will have a traffic mess in front of their site.

LUCAS Attorney Lucas stated that Condition #10 can be eliminated and referred to as the Developers Agreement.

RAUSCH Solicitor Rausch stated that, if the board is inclined to approve the plan with the conditions, the condition listed can be referenced and indicate that #10 is the Developers Agreement and is agreed to by both parties.

LUCAS Attorney Lucas indicated that it referenced a “generator backup” and it was actually a “battery backup” with a transfer switch.

SCHENCK Chairman Schenck noted that, in accordance with Solicitor Rausch’s suggestion, item #10 should read “successful completion or execution of the Developers Agreement.

MR. GURRERI MOVED WITH REFERENCE TO LAND DEVELOPMENT 08-06, SHEETZ CONVENIENCE STORE, TO APPROVE THE PRELIMINARY PLAN WITH CONDITIONS 1 THROUGH 11 AS LISTED ON THE SEPTEMBER 25 MEMORANDUM WITH THE EXCEPTION OF #10, DEVELOPERS AGREEMENT, AS AGREED TO BY THE PARTIES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri reported that he had received a letter from Shirley Moore of Maywood Road with a concern that there will not be a Recreation performance at the Middle School for a holiday program this year. She was disappointed as the show was a nice evening for the entire family and was well attended. She asked if it would be possible to reschedule them.

HOLMAN Mr. Holman stated he would respond and copy the Board.

SCHENCK Chairman Schenck asked why it had been cancelled.

HOLMAN Mr. Holman indicated that Recreation had been a sponsored event during the summer months. Based on the cost of events, the township could only sponsor them once. The turnout for Recreation had been going down each year in the winter months. Based on the analysis that was done, the township will sponsor all the events possible.

DVORYAK Mr. Dvoryak asked to revisit the Treasurer’s Report, which was presented earlier and approved. He noted that, given everything that had been going on in the past two weeks in the financial markets, it might be a good time for the Board to do a periodic review of the information in the various funds where there are significant dollars

with banks to understand any market risks, and whether the funds are beyond FDIC insurance, what the bank ratings are, how the risk is spread among the various banks and yields that the funds are getting. He asked whether there had been any effort to seek out other options available to enhance yields on those investor funds and preserve the capital.

HOLMAN Mr. Holman responded that Mr. Hadge had just completed a review of the investments and financials, as well as a check to make sure the state guarantees are in place. Each of the banks the township has must have a state certification to recover, so the investments appear to be in good shape. The state certification from the Department of the Treasurer is beyond the FDIC coverage. They had reviewed investments, funds in the bank, insurances and especially anything dealing with AIG. They reviewed all the pension funds and will be going into more detail on that with Mr. Dvoryak.

SCHENCK Chairman Schenk requested a 15-minute presentation by either Mr. Hadge or Mr. Holman, which could be held during one of the budget meetings or work sessions as opposed to regular township meetings.

HOLMAN Mr. Holman agreed with its importance. It was an area that they had been keeping a very close watch on based upon the markets. He indicated he would schedule such a meeting and will be sending out a list of dates and times for the Board's availability. Mr. Hadge will make the presentation as a part of the Financial Office budget presentation. In addition, it will be mentioned in the Audit Report and the review will be a part of the future strategic planning.

GURRERI Mr. Gurreri reported that he had received a call concerning missing signs. The individual was not sure that the township had taken them. Mr. Gurreri suggested that they call the township, and the response was that if the township took the signs, they would not be returned and would be destroyed. These signs were for a charitable organization. Mr. Gurreri asked whether they would be held at Public Works for people to pick up.

HOLMAN Mr. Holman stated that the inspectors go out and pick up signs with the Code Enforcement Officer. Signs are taken to the Public Works Department and are held for a short time. If someone wants to pick up their signs, they can contact Mr. Lauer and/or go to Public Works for them. Otherwise, they are discarded in the dumpster.

GURRERI Mr. Gurreri was glad that they would have an opportunity to retrieve their signs, especially with a charitable or political organization.

HOLMAN Mr. Holman indicated that he will be having a meeting with the Code Enforcement Officer about political signs.

SCHENCK Chairman Schenk asked whether a hand-written cardboard sign taken off a pole would be discarded immediately.

- HOLMAN** Mr. Holman responded that those types of signs are discarded immediately. Otherwise signs would be next to the dumpster at Public Works.
- RAO** Mr. Rao added that there can be no differentiation of signs within the right-of-way.
- BISHOP** Mr. Bishop indicated that it would be asking a lot of staff to differentiate between a charitable organization and another individual.
- GURRERI** Mr. Gurreri commented that when he ran for public office the state was involved in signage.
- SCHENCK** Chairman Schenck reported that he had attended a meeting at Martin Library with the Director. He heard the annual plea for budgetary monies toward the library, as the township does.
- HOLMAN** Mr. Holman stated that he had included the library in the budget and put together a spreadsheet showing the 12-month's worth of usage.
- SCHENCK** Chairman Schenck noted that he wanted to be sure that Springettsbury residents realize the asset was available to use, and whether the township is getting the exposure that it should. He asked whether the newsletter could be used to give added coverage.
- HOLMAN** Mr. Holman responded that there had been articles in the newsletter about Martin Library, as well as the Art Institute. They have expanded the size of the library at the Art Institute.
- SCHENCK** Chairman Schenck reported that he learned that Manchester Township's building was used as a point of contact for the library. Manchester Township residents can pick up reserved books at the township building.
- HOLMAN** Mr. Holman offered to discuss it with the Manager of Manchester Township.
- SCHENCK** Chairman Schenck applauded whoever put the document together for Saturday in The Park, regarding who should be where and when and who was doing what, as the whole document was pretty incredible and impressive.

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 stated that he had nothing additional to report.

SCHENCK Chairman Schenck stated that he was anxious to read his report on the tax collector information.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-55 – Authorization to Renew Municipal Winter Traffic Services Supplemental Agreement with PennDOT for 2008-2009.

HOLMAN Mr. Holman stated that the only change from the previous year is that the township will not be covering Mt. Zion Road. This had been previously discussed.

MR. BISHOP MOVED TO ADOPT RESOLUTION 08-55. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-56 – Accepting Offer of Dedication for Public Use Wynwood Road, Rex Drive and Greystone Drive within Kingswood Estates Development.

MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 08-56. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 08-57 – Accepting Offer of Dedication for Public Use Sanitary Sewer Lines within Kingswood Estates Development.

MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 08-57 – ACCEPTING OFFER OF DEDICATION FOR PUBLIC USE SANITARY SEWER LINES WITHIN KINGSWOOD ESTATES DEVELOPMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 08-58 – Authorization to Approve “Exhibit A” to the Charter Agreement (Fire Equipment and Vehicle Appraisal).

HOLMAN Mr. Holman requested that the Resolution had not been finalized and suggested that it be tabled. Solicitors Rausch and Hovis are in the process of completing it.

Consensus was to table Resolution No. 08-58.

13. OLD BUSINESS

There was no Old Business for action.

14. NEW BUSINESS

A. Acknowledge Receipt of Minimum Municipal Obligation for Pension Plans

SCHENCK Chairman Schenck stated that item A involved an acknowledgement of receipt of the MMO for the pension fund, which is a required action. However, he indicated this

would tie in with Mr. Dvoryak's earlier discussion. The amount is one that needed to be better understood and whether or not it is being properly managed.

HOLMAN Mr. Holman indicated that this is the anticipated amount that will be budgeted in 2009 based on a review by the Finance Officer, and Tom Zimmerman of Conrad Siegel had signed off. It is a requirement that in September the budgeted amount anticipated be acknowledged.

SCHENCK Chairman Schenck stated that he wanted to have a comfort level that within the pension funds and the funding of the unfunded portion that it is clearly understood how that is scheduled.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLANS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman indicated he had received a request from the Chairman of the Pension Funds that the meeting on October 26th be moved to a later meeting date. They will have a report at that future meeting with regard to a review and update of the investment plans. The Chairman would like to be there and Mr. Dvoryak. With the Board's permission, he will schedule a date beyond October.

DVORYAK Mr. Dvoryak asked when there would be discussions on the YAUFRR budget.

HOLMAN Mr. Holman responded that he will be reviewing that with Chief McCoy and Mrs. Ratcliffe. He will provide a report to the Board, which will be reviewed during one of the budget meetings as well. This will be one of the first subjects reviewed.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:20 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 11, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 11, 2008 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN
ATTENDANCE:**

Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

**MEMBERS NOT
IN ATTENDANCE:**

Bill Schenck, Chairman
Nick Gurreri

**ALSO IN
ATTENDANCE:**

John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

BISHOP Acting Chairman Don Bishop called the meeting to order at 7 p.m. He led the Pledge of Allegiance. He reported that two of the Board members would not be present as both Chairman Schenck and Mr. Gurreri were on vacation.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

BISHOP Mr. Bishop announced that an Executive Session had been held on August 28th to discuss personnel matters. No Executive Sessions had been planned for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported two updates in addition to his written report. Mr. Hodgkinson selected the appropriate UV system for the BNR Improvement project, which will

move into the design phase. The HVAC preliminary study is completed, a copy of which will be provided to Mr. Holman. A meeting will be scheduled for review and finalizing that project.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani reported two updates in addition to his written report. The first related to Heritage Hills development. A request was made to PennDOT for a coordination meeting to discuss the road improvements, and PennDOT provided some dates for discussion. In addition, discussion was held during staff meeting with regard to zoning and stormwater issues. Further coordination will be necessary to implement the project, and the results of meetings with PennDOT will be forthcoming. Mr. Luciani reported that the FEMA Mapping was completed. FEMA remapped the entire county with some significant changes in Springettsbury Township. They clearly delineated the flood plain and floodways. That will be a beneficial tool during development planning. Comments need to go back to FEMA within 30 days and a meeting will be held with township staff. Buchart will review the sewer plant area to determine any impacts. Further reporting will come as they working through those differences.

5. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 11 – Grit Removal Improvements Project in an amount not to exceed \$3,020.05.**
- B. Johnston Construction Co. – Application for Payment No. 12 – Grit Removal Improvements Project in an amount not to exceed \$93,766.48.**
- C. Regular Payables as Detailed in the Payable Listing of September 11, 2008**
- D. Board of Supervisors Regular meeting Minutes – August 28, 2008.**

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no additional accounts payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Award Sanitary Sewer Maintenance Service Contract to Tri-State Grouting in an amount not to exceed \$996,825**

HOLMAN Mr. Holman stated that the authorization is to award the serving of a two-year contract with a one-year option to renew in the amount of \$996,825. The contract ties into the long-range sewer planning study. He thanked Mr. Hodgkinson and Mr. Schober for their work on the project.

SCHOBBER Mr. Schober added that there had been a similar contract several years ago.

BISHOP Mr. Bishop asked whether the township had any contracts with this contractor in the past.

SCHOBBER Mr. Schober responded that Springettsbury had not worked with them; however, Buchart-Horn had worked with them very satisfactorily.

DVORYAK Mr. Dvoryak asked whether the contract would keep the township on schedule with the long-range sewer needs.

SCHOBBER Mr. Schober responded that it would do so.

MR. BOWMAN MOVED TO AWARD THE SANITARY SEWER MAINTENANCE SERVICE CONTRACT TO TRI-STATE GROUTING IN THE AMOUNT NOT TO EXCEED \$996,825. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Right of Entry and Maintenance Agreement – Whiteford Investments, LLC – Northeast Corner of the Intersection of Whiteford Road and Memory Lane Extended.

C. Authorization to Enter into Development Agreement with Whiteford Investments, LLC – Northeast Corner of the Intersection of Whiteford Road and Memory Lane Extended.

HOLMAN Mr. Holman stated that a request had been received from Diehl to postpone action on items B and C. Additional meetings will be held with Diehl regarding the project.

MR. DVORYAK MOVED TO TABLE ACTION ON ITEMS B AND C. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Enter into Agreement with Hemler Animal Control Service for 2009

HOLMAN Mr. Holman reported that Hemler ACS Animal Control Service had provided good service for the township in the past. He and Chief Eshbach recommended award. He added that costs are up due to fuel prices.

MR. DOVRYAK MOVED TO AUTHORIZE THE AGREEMENT WITH HEMLER ANIMAL CONTROL SERVICE FOR 2009. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Authorization to Enter into Agreement with the York County SPCA for 2009 in an amount not to exceed \$11,942.

HOLMAN Mr. Holman stated that the SPCA had provided the township with excellent service during the past year. The authorization would enter into agreement with the York County SPCA for 2009 in an amount not to exceed \$11,942. The SPCA bases its cost analysis on the number of individuals in the census in 2000 that live in

Springettsbury Township. This change came as a result of accounting done at the state on how their grants are received. It will increase township costs by approximately \$3,000 to \$4,000.

MR. BOWMAN MOVED FOR AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE YORK COUNTY SPCA FOR 2009 IN AN AMOUNT NOT TO EXCEED \$11,942. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-07-06 (Revised) – York Container Company Plan Revision, 136 Mt. Zion Road – Final Plan (Expires 11/23/08).

RAO Mr. Rao provided background information in his September 11, 2008 memorandum. The project is a revision of a recorded plan to construct an approximately 60,000 square foot warehouse addition for York Container Company. The Company submitted a revised plan just for the truck parking area. The plan includes relocation of curbing, parking lot lights, landscape buffering and an easement that was submitted to the Solicitor for review for adjacent landscaping. The plan was filed under the old Zoning SALDO and Stormwater Ordinances. Mr. Rao provided a PowerPoint history of the revised plan, the project location, adjacent zoning districts, aerial photo, recorded plan and revised plan. The recorded plan showed the parking lot and the problem tractor-trailer drivers are having getting in, out and parking. The revised plan increases more area to maneuver and decreases some of the parking. In addition, an adjustment was made of the landscape buffer. Mr. Rao stated that Dave Koratich, LSE Design, representative of the plan, was present to respond to questions.

BISHOP Mr. Bishop asked whether most of the construction had started.

KORATICH Mr. Koratich responded that he was correct. He reported that the building was done; the parking area was graded with a stone sub-base. They parked a few tractor-trailers and realized it would be tight for the trucks. In June they came back to the township to expand the area by 25 feet one way and 300 feet the other, and in order to do so, the buffer yard had to be moved, which was associated with the original land development plan on the adjacent property, also owned by York Container. A simple subdivision could not be done, but it entailed an easement to be placed on it to maintain the maintenance of the buffer yard.

BISHOP Mr. Bishop asked about the improvements along Mt. Zion Road that were part of this plan.

KORATICH Mr. Koratich responded that part of the original plan included the curb and sidewalk along the north side of the entrance and on the south side of Mt. Zion Road. That plan was submitted, along with traffic signalization for the light. The plan was re-submitted several weeks ago.

HOLMAN Mr. Holman added that those improvements begin when the HOP permit is granted with improvements to the intersection.

KORATICH Mr. Koratich commented that it had been entered into the Developers Agreement with the township to keep the project moving ahead.

BOWMAN Mr. Bowman asked why so much more room was needed from the original plan.

KORATICH Mr. Koratich stated that in the model they had the tractor-trailers back in and they needed room to open their doors. They needed a total of 12 feet. They attempted to give them enough room for the drivers to pull out and maneuver comfortably out onto Mt. Zion Road.

BISHOP Mr. Bishop commented that it worked on the computer model.

KORATICH Mr. Koratich agreed that it worked excellently on the computer model, but in reality, once they put the tractor-trailers there and got them situated side by side, they just realized they needed more room.

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT 07-06
REVISED YORK CONTAINER TO APPROVE THE FINAL PLAN WITH THE
FOLLOWING CONDITION:**

- **APPLICANT MUST SUBMIT AN EASEMENT AGREEMENT FOR BUFFERING FROM THE SOUTH TO THE SOLICITOR FOR REVIEW AND APPROVAL.**
- **SALDO 289-76, ALL ENGINEERING, LEGAL OR RECREATION OR ADMINISTRATIVE COSTS WILL BE PAID PRIOR TO THE RECORDING OF THE APPROVED REVISED PLAN SHEETS.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-08-06 – Sheetz Convenience Store, Southeast Corner of Stonewood Road and East Market Street – Preliminary Plan (Expires 12/23/08).

RAO Mr. Rao presented background information, as documented in his September 11, 2008 memorandum. He reported that the project proposed to construct a 4,997 square foot Sheetz Convenience Store on the southeast corner of Stonewood Road and East Market Street. He provided a PowerPoint presentation showing the highlights of the plan, plan history, project location, adjoining zoning district, aerial photo, present site, existing conditions plan, proposed plan, elevation rendering, site rendering. He indicated the plan was based on a previous plan, LD-99-12, that was submitted by WaWa. He noted that it will require a PennDot HOP and a Developer's Agreement and includes pedestrian-friendly sidewalks. Mr. Rao introduced Mike LaCesa, Director of Real Estate with Sheetz.

LACESA Mr. LaCesa stated that he was accompanied by Attorney Ron Lucas of Stevens and Lee along with both traffic and site engineers from Rettew Associates, who were

present to respond to any questions. A lengthy discussion ensued, which is summarized below:

Traffic issues:

- Exiting onto Market Street – right-turn only; currently shown as full access.
- Traffic analysis waiver sent to PennDOT; Sheetz project will go through PennDOT process.
- Letter of Awareness issued re/HOP permit; township’s interest is right-in/right-out on Market Street.
- Sheetz has not submitted an HOP; only a traffic waiver.
- McDonald’s plan to be reviewed for driveway and traffic impacts.
- No left turn lane exists.
- Sheetz suggested left-in but not left-out.
- Market Street traffic volume between 15,000 to 18,000.
- Sheetz project may improve some of the traffic issues.
- Market to Stonewood compete for turn lane; 2 reportable accidents in 5 years.

Developer’s Agreement:

- Developer’s Agreement – Not yet finalized but minimal issues. Sheetz amenable to work it out.
- Developer’s Agreement – Condition of approval for preliminary planning.
- Plan based on previous WaWa plan – easements and buffering rights transferred to Sheetz; sewer installed as well.

Waiver:

- Two entrances – off Market and off Stonewood – 17 foot elevation between the two.
- Included a 15-foot vertical curve planned with a six-inch under clearance. Because of site constraints of the differential grades between Market and Stonewood, the solution is to allow grade greater than 5%. Their waiver request is for an 8% grade.

**MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-08-06 SHEETZ CONVENIENCE STORE, TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAN WITH THE FOLLOWING WAIVER:
WAIVER OF SALDO 289-41.1.4 ACCESS DRIVES, THE SLOPE. SLOPE SHALL NOT EXCEED 5% WITHIN 25 FEET OF THE STREET RIGHT-OF-WAY AND MAY NOT EXCEED 12% FOR THE REMAINDER OF THE DRIVE.**

MR. BOWMAN AMENDED THE MOTION TO RECOMMEND ONLY APPROVAL OF THE FOLLOWING WAIVER:

- **WAIVER OF SALDO 289-41.1.4 ACCESS DRIVES, THE SLOPE. SLOPE SHALL NOT EXCEED 5% WITHIN 25 FEET OF THE STREET RIGHT-OF-WAY AND MAY NOT EXCEED 12% FOR THE REMAINDER OF THE DRIVE.**

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Consensus of the Board was to table further action on the plan until the Developers Agreement is reviewed on September 25, 2008.

9. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman asked about stakes along Edgewood Road.

HOLMAN Mr. Holman responded that they are right-of-way gas company stakes. They are tracking where to extend the gas line.

10. SOLICITOR'S REPORT

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

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing in addition to his previously-submitted report.

12. ORDINANCES AND RESOLUTIONS

There were none for action.

13. OLD BUSINESS

There was no Old Business for discussion.

14. NEW BUSINESS

There was no New Business for discussion.

15. ADJOURNMENT

BISHOP Vice Chairman Bishop adjourned the meeting at 8 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 28, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday August 28, 2008 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
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
David Wendel, Director, Parks & Recreation
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

A. Opening Ceremony

GURRERI Mr. Gurreri congratulated David Wendel, Director of Parks and Recreation with the birth of a son. He reminded everyone to keep the men and women in the armed services in prayer. Mr. Gurreri led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSION

A. July 24, 2008 - 9:45 p.m.

- 1) **Litigation – Brenneman Zoning Appeal**
- 2) **Litigation – Darrah Motor Sports Zoning Appeal**
- 3) **Litigation – Norfolk Southern**
- 4) **Collective Bargaining**

SCHENCK Chairman Schenck announced that an Executive Session had been held on July 24th at 9:45 p.m. at which time litigation matters were discussed concerning the Brenneman Zoning Appeal, Darrah Motor Sports Zoning Appeal, Norfolk Southern and a personnel matter regarding Collective Bargaining.

3. COMMUNICATION FROM CITIZENS

SCHENCK Chairman Schenck indicated that there was a request to speak on an item under New Business with regard to the Mt. Zion Road overlay, and public comment would be taken at that time.

There were no public comments.

4. ENGINEERING REPORTS:

A. Environmental Engineer – Bucharth Horn, Inc.

SCHOBBER Mr. Schober provided the Board with photographs of the Grit project, which he reported was completed and operating. The contractor is working on the punch list items. Mr. Schober met with township staff, Mr. Holman and Mr. Luciani in an effort to combine the Meadowlands Pump Station project with the road project in order to streamline the projects for early 2009 construction season. Mr. Schober stated that bid results were received on the Collection System Improvements and they are in the process of reviewing those bids. The project is a unit price project depending on what staff determines will be needed in the next few years.

BOWMAN Mr. Bowman asked whether he had seen a big variance in the bids.

SCHOBBER Mr. Schober responded that there are always a few bids that come in that don't meet the requirements.

SCHENCK Chairman Schenck reported that he had visited the site on Saturday towards evening and thought the odor was rather strong.

SCHOBBER Mr. Schober indicated he would check to see whether they were doing anything unusual.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided several updates to his written report. He stated that he met with staff, Messrs. Holman, Rao, Schober and the Kinsley staff with regard to the Kinsley, Lot 1, Motter Subdivision. The proposal calls for building the sewer line in back of the building. Following discussions that sewer line was moved to the front of the building. The line in that vicinity is very old and in bad shape. They have agreed to proceed with the Komax building.

HOLMAN Mr. Holman stated that they had tentatively agreed to replace the line from the railroad track down to relocation along the Komax site and around, which

resolves the big impediment with regard to the Komax building. This business will bring approximately 100 new positions into the township.

SCHENCK Chairman Schenck asked for the status in the planning process.

HOLMAN Mr. Holman responded that the Board could see that in about two months.

LUCIANI Mr. Luciani indicated that they are fairly close to resolving the plan.

Mr. Luciani reported an issue with the Rutters HOP on North Hills Road, about which he and Mr. Holman had met with Rutters. When Rutters widened North Hills Road, they had acquired property from Mike Snyder, which has a box culvert that carries the stream underneath North Hills Road. Upon completion, there is a pretty steep area down to the bottom of the box culvert. There appears to be a safety concern for the design engineer and PennDOT, and a section of fencing was added. However, Mr. Snyder was concerned that the fence does not go far enough to protect pedestrians. This issue was covered in the agreement between Rutters and Mike Snyder; however, the township is attempting to get some of that fence covered.

HOLMAN Mr. Holman added that it could use two more sections.

BISHOP Mr. Bishop stated that the traffic lights in that area seem confusing when traveling south on North Hills and turning left onto Industrial. He stated that there is one light on one side of the train tracks and another on the other side of the tracks along with a directional lens in the left hand turn. Unless a motorist is in exactly the right spot, it's difficult to determine the direction.

HOLMAN Mr. Holman noted that the north most light on North Hills Road goes red first to stop traffic. The other one will stay green to relieve traffic coming off the railroad crossing.

BISHOP Mr. Bishop noted that he was sure there was an excellent purpose behind it, but he thought it was very confusing.

LUCIANI Mr. Luciani indicated he would take a closer look at the signal permit. There might be an adjustment that could be made since it is a narrow range.

HOLMAN Mr. Holman indicated that Mr. Luciani was preparing a letter for his signature for the No U-Turn sign for Concord and Mt. Zion Roads.

BOWMAN Mr. Bowman mentioned that he thought Mr. Snyder's concern was that he did not want a fence.

LUCIANI Mr. Luciani responded that he did not want the fence, but when PennDOT looked at it, it was in the right-of-way. Mr. Luciani did not know what was included in the agreement between Rutters and Mr. Snyder.

5. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 10 – Grit Removal Improvements Project in an amount not to exceed \$40,611.55**
- B. Johnston Construction Co. – Application for Payment No. 10 – Grit Removal Improvements Project in an amount not to exceed \$200,166.81.**
- C. Johnston Construction Co. – Application for Payment No. 11 – Grit Removal Improvements Project in an amount not to exceed \$100,667.62.**
- D. T. R. Stoner General Contractor – Application for Payment No. 7 – Penn Oaks Park Project in an amount not to exceed \$108,464.**
- E. Acknowledge Receipt of July 31, 2008 Treasurer’s Report.**
- F. Acknowledge Receipt of July 15, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- G. Regular Payables as Detailed in the Payable Listing of August 28, 2008.**
- H. LD-06-07 – Time Extension – Dunkin Donuts – Plan Expires 9/10/08 (New Plan Date 12/10/08).**
- I. LD-08-02 – Time Extension – Rite Aid/Jiffy Lube – Plan Expires 9/25/08 (New Plan Date 12/25/08).**
- J. LD-08-03 – Time Extension – Senior Life – Plan Expires 9/25/08 (New Plan Date 10/25/08).**
- K. LD-08-06 – Time Extension – Sheetz – Plan Expires 9/23/08 (New Plan Date 12/23/08)**
- L. LD-08-07 – Time Extension – Motter Industrial Tract (Lot 1) – Plan Expires 9/23/08 (New Plan Date 12/23/08).**
- M. LD-08-08 – Time Extension – KVM Springettsbury – Plan Expires 9/23/08 (New Plan Date 12/23/08).**
- N. LD-08-09 – Time Extension – Yorkshire Elementary School – Plan Expires 9/23/08 (New Plan Date 12/23/08).**
- O. SD-07-03 – Time Extension – Spring Meadows – Plan Expires 9/30/08 (New Plan Date 12/30/08).**
- P. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 9/13/08 (New Plan Date 12/13/08).**
- Q. SD-07-10 – Time Extension – Marlin R. Weary, Jr. – Plan Expires 9/21/08 (New Plan Date 12/21/08).**
- R. SD-08-04 – Time Extension – Motter Industrial Tract (Lot 1) – Plan Expires 9/23/08 (New Plan Date 12/23/08).**
- S. Acceptance of Cops in School Grant Financial Review by Department of Justice.**
- T. Board of Supervisors Work Session Minutes – July 24, 2008**
- U. Board of Supervisors Regular Meeting Minutes – July 24, 2008**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH U. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

These items were approved in the Consent Agenda.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Enter into Agreement with Industrial Motor Supply, Inc. for the Purchase of Two (2) Replacement Snowplows in an amount not to exceed \$18,000.

HOLMAN Mr. Holman stated that Mr. Lauer requested authorization from the Board for this purchase, which will upgrade the snowplows. The funding was made available in the 2008 Liquid Fuels Fund Budget. No bidding was required as this was purchased under a Cooperative Purchasing Agreement.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH INDUSTRIAL MOTOR SUPPLY, INC. FOR THE PURCHASE OF TWO (2) REPLACEMENT SNOWPLOWS IN AN AMOUNT NOT TO EXCEED \$18,000. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-08-01 – Whiteford Investments LLC (Diehl Suzuki) – Final Plan Expires 10/28/08 (Action)

RAO Mr. Rao provided background information as documented in his August 28, 2008. He stated that the project proposed the construction of a new car dealership for Diehl Suzuki. He indicated that the project is located on Memory Lane Extended. He provided a PowerPoint overview of the project with Highlights of the Plan, Project Location, Adjoining Zoning District, Aerial Photo, Present Site, Proposed Plan, Public Works, Proposed Grading Plans, Proposed Landscape Plan, Overall Site Plan and a Conceptual Building Drawing. Mr. Rao noted some waivers and conditions also documented in the memorandum. He indicated Robert Sandmyer of Site Design Concepts, designer of the plan was present to respond to any questions.

SCHENCK Chairman Schenck noted that the Board had reviewed the project as a Preliminary Plan and is familiar with the plan. He asked about the Developer's Agreement.

SANDMYER Mr. Sandmyer responded that the Developers Agreement had been reviewed by the attorney's office and is in final form.

HOLMAN Mr. Holman added that the final draft of the Developers Agreement had been received by email several hours ago and it will be acted on during the first September meeting.

RAUSCH Solicitor Rausch noted that it had been reviewed and the language finalized.

SCHENCK Chairman Schenck asked whether the Letter of Adequacy had been received from York County.

RAO Mr. Rao responded that it had been received.

SCHENCK Chairman Schenck asked whether the Maintenance Agreement is the Developers Agreement.

SANDMYER Mr. Sandmyer responded that there are two separate agreements. The Maintenance Agreement covers the rights-of-access allowing the dealership or the property owner to enter into the township right-of-way to cut the grass. The Developers Agreement covers the public improvements.

BISHOP Mr. Bishop asked what the Proper Completion Guarantee covered.

LUCIANI Mr. Luciani responded that was the wording from the township ordinance covering items like storm water, required improvements such as sidewalks, landscaping, street improvements, erosion control, etc. It could be placed under bonding.

RAUSCH Solicitor Rausch asked about the documentation from the adjoining property owner, Gary Boyer, 1445 Memory Lane.

SANDMYER Mr. Sandmyer responded that within the project they are sending storm water piping up to the north on Memory Lane Extended for storm water discharge. That will discharge eventually into a stream that abuts the apartments to the west. The pipe is still located within the township right-of-way but is right on the line, so temporary easements were requested from three property owners. Two out of three had been secured a few months ago, but the third one, Mr. Boyer's, was just received and is now on record with Mr. Rao and Mr. Luciani.

HOLMAN Mr. Holman suggested leaving that on the list in order that the Solicitor could review it.

MR. SCHENCK MOVED, WITH REFERENCE TO LAND DEVELOPMENT 08-01, WHITEFORD INVESTMENTS, DIEHL SUZUKI, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-12.C) TO PROVIDE PROPER COMPLETION GUARANTEE;**
- **SALDO (§289-13.A) THAT THE PLANS BE SUBMITTED ON MYLAR AND AN ELECTRONIC COPY BE PROVIDED;**
- **SALDO (§289-13.B.7.) APPLICANT MUST CORRECT THE TITLE BLOCK, SURVEY DATA; GENERAL PLAN / REPORT DATA; AND VARIOUS BLOCK DETAILS;**
- **SALDO (§289-76.C) FEES, THAT ALL ENGINEERING, LEGAL AND ADMINISTRATIVE COSTS ARE PAID PRIOR TO THE RECORDING OF THE PLAN;**

- **THE APPLICANT SHALL SUBMIT DOCUMENTATION THAT THE PROPERTY OWNER, GARY BOYER, 1445 MEMORY LANE, AGREES TO THE TEMPORARY CONSTRUCTION EASEMENT;**
- **THE PREVIOUSLY-DEVELOPED DEVELOPERS AGREEMENT BE A PART OF THE CONDITIONS SUBJECT TO APPROVAL BY THE TOWNSHIP;**
- **THAT A MAINTENANCE AGREEMENT BE EXECUTED BETWEEN THE TOWNSHIP AND THE APPLICANT.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. SD-07-10 – Marlin R. Weary, Jr. – Final Plan Expires 9/21/08 (Action)

RAO Mr. Rao presented the plan to subdivide a parcel of 0.883 acres at 2784 North Sherman Street into two separate parcels. The intention is to add a second residential home on the newly-divided parcel with a shared driveway access. Further documentation was provided in a memorandum dated August 28, 2008. Mr. Rao provided a PowerPoint synopsis of the plan showing Highlights of the Plan, Plan History, Project Location, Adjoining Zoning District, Aerial Photo, Present Site (3), Existing Conditions, Proposed Plan, Proposed Plan with Sidewalks, Sidewalk, Curbs and Gutters on North Sherman Street.

BOOSE Joseph Boose, David A. Hoffman, Land Surveyor, represented the plan. He stated that Mr. Rao had provided a good presentation of the plan and asked for questions.

GURRERI Mr. Gurreri asked about the shared driveway and whether that was the only way that could be accomplished.

BOOSE Mr. Boose responded that, because it comes off of Sherman Street, it was the only way to do so through a common access because of Township requirements connecting to arterial streets.

SCHENCK Chairman Schenck asked what the township's interest would be in a shared driveway.

LUCIANI Mr. Luciani responded that there is no interest. The ordinance was adopted to limit new driveways connecting to arterial roads. It becomes an access drive and not a driveway, which is the reason why it will be flattened and widened. Maintenance will be the homeowner's responsibility.

SCHENCK Chairman Schenck asked whether that would be documented in the recorded new deed.

BOOSE Mr. Boose responded that it will be recorded in the agreement and on the recorded plan.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 28, 2008
APPROVED**

LUCIANI Mr. Luciani stated that another plan was created showing access easement detail, which also will be recorded as to who will maintain it; plow it, pave it, etc.

SCHENCK Chairman Schenck questioned whether that would follow the land.

LUCIANI Mr. Luciani assured him that it will go with the land on both deeds, 2794 and 2784.

SCHENCK Chairman Schenck questioned the long lapse in the timeline from January to June.

BOOSE Mr. Boose explained that it involved getting everything adjusted to township ordinances and requirements and the administration of the same.

LUCIANI Mr. Luciani mentioned that the initial design of the driveway did not meet the state standards.

BISHOP Mr. Bishop asked about the road widening modification and asked which road was being referenced.

LUCIANI Mr. Luciani responded that it is a collector street, which requires a 36-foot cartway. The road currently is only 27 foot and would have to be widened.

BISHOP Mr. Bishop asked whether he was referring to North Sherman Street.

LUCIANI Mr. Luciani responded that the township ordinance would require them to widen Sherman Street.

HOLMAN Mr. Holman added that the ordinance requires them to widen it; however, the waiver states that it would be done upon six months notice from the township.

BOOSE Mr. Boose added that both the properties have some fairly high banks coming down to Sherman Street. In order to widen that small strip across the two lots, it would make a bump out into the bank. It would not be a good safety feature in that area.

BISHOP Mr. Bishop asked whether the curbing, sidewalks and road widening are waivers or modifications.

LUCIANI Mr. Luciani responded that they are waivers.

RAO Mr. Rao added that it is not being waived, just delayed.

BISHOP Mr. Bishop noted that it is a modification of the ordinance, but it is not a waiver of those items.

GURRERI Mr. Gurreri asked whether there were any sidewalks.

BOOSE Mr. Boose responded that there are no sidewalks within that area to the south. Going up the hill, the first sidewalk and curbing is 1400+ feet away. There is no curbing or sidewalk out towards Mundis Mill Road, and there is a little bit coming out of Woodside Drive that ends at Sherman.

RAO Mr. Rao added that there will be sidewalk on Hammond Road due to the school program.

LUCIANI Mr. Luciani stated that topography challenges stopped sidewalk for that reason.

MR. BOWMAN MOVED WITH REFERENCE TO SUBDIVISION PLAN 07-10, MARLIN WEARY, JR., TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVER:

- **SALDO (§289-24.) SEWER AND WATER FEASIBILITY REPORT;**

TO APPROVE THE FINAL PLAN WITH THE FOLLOWING MODIFICATIONS:

- **MODIFICATION OF SALDO (§289-31.A) CURBING AND GUTTERS;**
- **MODIFICATION OF SALDO (§289-32.A) SIDEWALKS;**
- **MODIFICATION OF SALDO (§289-41.A.3.) ROAD WIDENING;**

TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO (§289-13.A.) FINAL PLAN SPECIFICATIONS;**
- **SALDO (§289-76.C) FEES;**
- **THE PLAN SHALL SHOW THE DATES THAT THE SHARED DRIVEWAY EASEMENT AGREEMENT WAS SIGNED AND THE RECORDING DATE.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS:

GURRERI Mr. Gurreri noted that the York Area United Fire and Rescue was represented volunteering in the eating stands at Sovereign Bank Stadium during a game. He congratulated John Luciani as the First Capital Engineering brochure shared a success story with York County United Development Corporation. Saturday In The Park will be held September 27th, and there is a nice banner is on Market Street, which is a great way to advertise that. Some residents complained about the banner, when they have not been able to advertise. The Solicitor says one sign can't be distinguished from another. Mr. Gurreri thought the sign ordinance should be revisited.

DVORYAK Mr. Dvoryak commented as a follow up to the last meeting and the presentation by York Counts and the questions raised at the last meeting as to who would be doing the study and what their interest might be in any follow up work that would be done as a result. Mr. Dvoryak had done some follow up work and received some correspondence, which he had shared with Board members concerning

PERF, the consulting group that is being considered to do the merger study. In this report it discussed why PERF is the organization that should be chosen. However, Mr. Dvoryak indicated that it was clear that the municipalities that agree to participate, if they do choose to do a consulting study, are free to choose any consulting firm that they want to.

SCHENCK Chairman Schenck indicated he was aware that Mr. Holman was gathering additional information for the Board.

HOLMAN Mr. Holman stated that in order to provide a fully-developed recommendation, he had proceed with his normal study. He planned to discuss it with PSATS, ICMA, and additional other contacts. There is not a lot of information about PERF that had been received. He had developed a 40-page document internally and was looking for more information that would seem to target more distressed communities and cities with regard to this work as opposed to a township. He had some questions about the presentation, and he was unsure of the benefits.

SCHENCK Chairman Schenck stated that he wanted to discuss it with the Board to determine their thinking.

BISHOP Mr. Bishop stated that he did not feel compelled to wait for the Manager's recommendation; he was ready to make a decision. He did not think that additional research was warranted.

SCHENCK Chairman Schenck indicated that it could be approved or not. He asked for the wish of the Board.

GURRERI Mr. Gurreri asked whether there was a cost to participate.

BISHOP Mr. Bishop responded that there would be a cost to the taxpayers of the Commonwealth of Pennsylvania.

GURRERI Mr. Gurreri asked whether there would be a cost to Springettsbury Township and whether there might be a grant to pay for it.

BISHOP Mr. Bishop responded that an unknown amount of staff time had been requested to participate in the research.

HOLMAN Mr. Holman added that if the Board decided to assign staff to do this, then he would have to take himself and other staff members off other projects to focus on this one. He was sure that Mr. Bishop and Mr. Gurreri were fully aware of the amount of staff time and effort that went into the development of the York Area United Fire and Rescue, along with the continuing effort to be sure of continued success. Fortunately Chief McCoy is an excellent Fire Chief.

- GURRERI** Mr. Gurreri noted that on the surface he thought it was a great idea, but he was aware of the cost and time factor.
- SCHENCK** Chairman Schenck noted that there would be a time commitment involved. They are going to need a lot of detail to do what they want to do.
- BISHOP** Mr. Bishop noted that he had no problem waiting, especially since Mr. Holman had already begun to draft a report. He suggested making a decision one way or another.
- HOLMAN** Mr. Holman noted that he had his initial notes with a lot more information coming. He had another month of work to finalize the information, which will take some staff time. With regard to the joint fire project, if it's financial, Springettsbury fronted a lot of costs into that and while waiting for grants, covered costs as that went through. Those costs were shared. Initially those shared costs were approximately \$120,000 to \$140,000 over a five-year period of time. There were matching shares of grants, legal fees and documentation involved.
- GURRERI** Mr. Gurreri thought they wanted information from the township. He asked whether Springettsbury or York Counts was pushing the project.
- BISHOP** Mr. Bishop stated that the response given to Mr. Dvoryak on the selection of a consultant was that the participants will be involved in selecting the consultant. Mr. Bishop assumed that it meant there would be on-going involvement in the process that will require someone's time and effort. A process to merge municipal services should not be started without being fully dedicated to putting in the time necessary to make it successful.
- DVORYAK** Mr. Dvoryak stated that he always wants a lot of information before making a decision as opposed to not having enough and trying to make a decision based on that. At this time, he did not personally feel that he had enough information to make a decision.
- SCHENCK** Chairman Schenck indicated he was waiting for Mr. Holman's recommendation or report. He suggested waiting for that report and then make an informed decision.
- HOLMAN** Mr. Holman stated that the report will be completed by September.
- SCHENCK** Chairman Schenck commented that to be clear, not making a decision will not hold up the process at all as there was no imposed timeline.
- HOLMAN** Mr. Holman added that they have not completed making presentations to other municipalities.

DVORYAK Mr. Dvoryak asked whether any other townships had signed on to participate besides West York Borough.

HOLMAN Mr. Holman added that the City of York approved it. Spring Garden has not.

Consensus of the Board was not to make a decision until all the information is made available.

SCHENCK Chairman Schenck asked about the Sheetz plan mentioned in Mr. Luciani's report. He noted that it seemed to be moving forward. He commented about the left turn movements in and out of the McDonalds, which will be across the street from Sheetz. He hoped that the Planning Commission would address it. He stated that traveling left out of McDonalds the motorists cross two travel lanes heading west and there are a tremendous amount of near misses. He mentioned the issue and hoped that PennDOT would review it.

LUCIANI Mr. Luciani indicated that they had discussed the plan during staff meeting; however, it had not gone through the Planning Commission. He thought there was a left-turn lane in that area, but it might not be properly striped. In any case Sheetz will have to go through the HOP process. He did not think that the township's Letter of Awareness had been issued yet, and mention could be made of the concern of traffic movements in the vicinity of Stonewood Road and Market Street. Something may change in that case, even if it would be to modify the signal.

SCHENCK Chairman Schenck noted that if that McDonalds were built today, no left turns would be permitted out of that driveway.

LUCIANI Mr. Luciani noted that Sheetz is almost a mirror image of the WaWa plan that was approved by the Board. He indicated he would look into accident history and include that in the Letter of Awareness.

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 stated that he had nothing to add to his written report.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-49 – Additional Street Lighting on Grant Drive for Sheridan Manor Development, Phase 2.

MR. GURRERI MOVED TO APPROVE RESOLUTION 08-49, ADDITIONAL STREET LIGHTING ON GRANT DRIVE FOR SHERIDAN MANOR DEVELOPMENT, PHASE 2. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-50 – Accepting Offer from PennDOT to Purchase Township Right-of-Way along 3406 East Market Street

HOLMAN Mr. Holman explained that the township has a right-of-way in front of the Paddock Restaurant. PennDOT met with him and presented an appraiser's value of the property, which was approximately \$4,500 and offered to purchase the right-of-way. This is part of the widening project for Market Street between Mt. Zion and Locust Grove Road.

BOWMAN Mr. Bowman wondered how the township ended up with the right-of-way.

HOLMAN Mr. Holman responded he did not know without doing a deed search. However, it is their process that they must offer the appraised value. It was the first time he had ever had a state offer to purchase rights-of-way. He added that the money will be put towards the Market Street/Mt. Zion Road Improvement Project.

MR. GURRERI MOVED TO APPROVE RESOLUTION 08-50, ACCEPTING OFFER FROM PENNDOT TO PURCHASE TOWNSHIP RIGHT-OF-WAY ALONG 3406 EAST MARKET STREET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Advertise Ordinance Amending Section 325-116T.(1) of the Zoning Ordinance to Provide for Parking in the Front Yard in the Flexible Development District.

HOLMAN Mr. Holman stated that in working through the ordinances in the Flexible Development District, there was to be parking in the front yard of Flexible Development in the Flexible Development District. During a review of the ordinances, they discovered a conflict with that in the ordinance, and as a result, this will simply clear up that language. This will allow parking in the front yard of commercial and industrial in the flexible development district. Planning Commission recommended the action. It had been checked by Marian Hull and double checked and it was to be allowed.

RAUSCH Solicitor Rausch stated that this will need to move through the whole process.

SCHENCK Chairman Schenck indicated that the action would be to authorize to advertise and to schedule a public hearing.

HOLMAN Mr. Holman stated that the Public Hearing will be held in October because it will have to be sent to the County for comment.

MR. GURERRI MOVED TO AUTHORIZE ADVERTISING ORDINANCE AMENDING SECTION 325-116T.(1) OF THE ZONING ORDINANCE TO PROVIDE FOR PARKING IN THE FRONT YARD IN THE FLEXIBLE DEVELOPMENT DISTRICT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Tax Collection Report for Act 511 Taxes

HOLMAN Mr. Holman stated that he had provided a report to the Board with regard to various options for collecting Act 511 Taxes. Based on that review it would appear the most cost-effective way to collect that would be going with the York Adams Tax Bureau. He met with Solicitor Rausch and the York Adams Tax Bureau to review their proposal. They collect for most of the adjoining townships and cities. He provided the information for discussion by the Board. The Solicitor did provide a draft Resolution should the Board wish to take action on this. Please note that should this occur that they would start collecting effective January 1, 2009. The nice thing about this is they cross reference all the taxes with all the surrounding municipalities with state-of-the-art reporting. He had spoken with a number of the municipalities at their Manager's Meeting. They have been very pleased with the YATB's work, as has Jack Hadge. They have provided excellent reports.

SCHENCK Chairman Schenck asked what the commission figure would be in round numbers.

HOLMAN Mr. Holman stated that the amount paid in commissions would be reduced by \$10,000 which would be saved in one year.

SCHENCK Chairman Schenck asked whether the process would be started if the Board approved the action or would it just provide direction that it will be effective January 1, 2009.

HOLMAN Mr. Holman responded that if action were to be taken on the Resolution and the Agreement approved, then he and the Solicitor would begin working with the YATB to start the transfer of the collection of the taxes in order to be effective January 1, 2009. They will also do a full review of the current status on the Act 511 taxes.

A lengthy discussion followed, which is summarized below:

- York Area Tax Bureau would be an excellent choice.
- Resolution and Agreement prepared to move the action forward.
- Tax Collector position will be open next year; need ability to attract competent people to run; may establish a lower fee.
- Tax Collector collects specifically what the ordinance dictates.
- Rate can be changed prior to February, 2009.

- Every other township in the area has moved the Act 511 collection to York Adams Tax Bureau; following trends with regard to tax collection.
- Transition issues – YATB will go through the county and the Tax Collector to collect data; will cross reference any working business with surrounding municipalities.
- Having YATB take over for one year could be beneficial for a new Tax Collector; get records in order.
- Contract with YATB is on an annual basis; contract can be terminated with 90 days notice.
- Occupation tax – 1.5%; Mercantile tax – 1.5%.
- Board of Supervisors has an obligation and responsibility to take action.
- Issue reviewed with PSATS, other groups and legal counsel; Township has right to assign the collection of Act 511 taxes.
- No taxpayer audit program has been performed in a number of years.
- Random audits could be done, but not without sufficient records.

BISHOP Mr. Bishop noted that there is a Resolution and an Agreement, which if the Resolution were passed, that would put things in motion to have a new organization in place for January 1, 2009.

HOLMAN Mr. Holman thanked Solicitor Rausch for meeting with him and for his assistance in this matter.

BISHOP Mr. Bishop stated that he agreed that the Board had a responsibility to act and that the proposed solution was the most appropriate, immediate remedy to at least part of the situation.

MR. BISHOP MOVED TO ADOPT RESOLUTION APPOINTING YORK ADAMS TAX BUREAU TO COLLECT AND ADMINISTER THE OCCUPATIONAL PRIVILEGE TAX AND MERCANTILE AND BUSINESS PRIVILEGE TAX. MR. BOWMAN WAS SECOND.

GURRERI Mr. Gurreri noted that he was not sure that the present system was broken.

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

SCHENCK Chairman Schenck stated that he wanted a thorough review done of the Agreement from York Adams Tax Bureau before it is signed.

HOLMAN Mr. Holman responded that he and the Solicitor will review it in detail.

BISHOP Mr. Bishop asked whether it would be appropriate to hold that until the next meeting since the Agreement is not needed in order to move forward.

SCHENCK Chairman Schenck stated that the cleaned up Agreement could be brought back at the next meeting and the Board can act upon it at that time.

**B. Acknowledge Receipt and Placement of 2008 Insurance Renewal Proposal –
Pollution Liability**

HOLMAN Mr. Holman explained that since 2005 the township had placed Pollution Liability Insurance, 95% of it for the Sewer Treatment Plan, 5% for the gas tanks in Public Works. This is a three-year contract. It is budgeted in Sewer and in the General Fund based on a 95/5 breakout. It is recommended by the User Group as it covers vehicles transporting the fertilizer to the various farms, which really is what generated this in the first place about four years ago. The cost is actually less than what it was originally. The township has an excellent record.

MR. BOWMAN MOVED TO APPROVE THE RECEIPT AND PLACEMENT OF 2008 INSURANCE RENEWAL PROPOSAL – POLLUTION LIABILITY. MR.DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Appointments to Planning Commission and Zoning Hearing Board.

SCHENCK Chairman Schenck reported that several interviews had been held, as per the normal policy.

MR. BISHOP MOVED TO APPOINT JOHN C. LUTZ TO THE PLANNING COMMISSION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED TO APPOINT TERESA JOHnescu TO THE ZONING HEARING BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop stated he was not present for the Cunningham interview.

SCHENCK Chairman Schenck indicated he had been present for the interview and had asked the candidate about the potential for being an alternate.

BISHOP Mr. Bishop noted that was the position that is open. Alternates are permitted to sit and participate.

RAUSCH Solicitor Rausch stated that the Alternate must be seated by the Chairman if there is not a Quorum.

HOLMAN Mr. Holman noted that when the township first started having Alternates, he was surprised to see that Alternates can discuss and participate but can only vote if there is not a set Quorum present. He will review that with Solicitor Rausch.

BISHOP Mr. Bishop asked what the complement is currently.

HOLMAN Mr. Holman responded that there is one Alternate and a full Board with one Alternate position open.

MR. GURRERI MOVED TO APPROVE SANDE CUNNINGHAM ZONING HEARING BOARD ALTERNATE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. NEW BUSINESS

A. Approval of Revised Job Descriptions for Public Works and Wastewater Treatment Department Employees:

- 1) Director of Public Works**
- 2) Superintendent of Public Works**
- 3) Director of Wastewater Treatment**
- 4) Superintendent of Wastewater Treatment**
- 5) Solids Handling Specialist**
- 6) Pretreatment Specialist**
- 7) Laboratory Technician 2**
- 8) Laboratory Technician 1**
- 9) Administrative/Wastewater Assistant**

MR. DVORYAK MOVED TO APPROVE THE REVISED JOB DESCRIPTIONS AS OUTLINED, POSITIONS 1 THROUGH 9. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Mt. Zion Road Overlay Project

HOLMAN Mr. Holman reported that the overlay project will not be completed this season. The gas company began making improvements, which put Kinsley three months behind. In order to lay down the initial coat of asphalt, it must be done by October 15th and it does not look like it can happen. Mr. Holman stated that he had driven the road several times with Mr. Lauer, and he and Mr. Lauer agree that the road will not be accepted from the state for plowing as it is not completed. Next year when the road is overlaid the township will take it back.

DVORYAK Mr. Dvoryak asked whether the township would have any leverage at all to move that along.

HOLMAN Mr. Holman responded no, except for the fact that he was writing letters to the Representatives indicating that the township will not accept the road for plowing. That might help, however, he did not think that Kinsley physically could move it along any faster. Kinsley was stopped and lost months. Under the contract he may be required to plow the back side of that road in any case.

SCHENCK Chairman Schenck stated that Charles Stuhre had some suggestions and had asked to speak concerning the Mt. Zion Road work.

STUHRE Charles Stuhre, resident of Trout Run Road, stated that both he and his wife almost had accidents on Mt. Zion Road because of the terrible traffic direction due to the inattention of the workers. A summary of his comments follows:

- Trucks and automobile traffic loosens the cold patch, which does not stay in the deep holes;
- Patching material must be old or ineffective.
- Have PennDOT close Mt. Zion Road in the next six weeks from Pleasant Valley and North Sherman Street; only open to local residents.
- Road can then be ripped up, pipes laid, and all the work can be done efficiently without having traffic directors – could be completed in the six-week period.
- Current workers only work about six hours each day.
- The motorists who use that road cannot put up with that road as it is for the winter.

SCHENCK Chairman Schenck stated that Mr. Lauer, Public Works Director, indicated that he would not want to run his plows down that road, based on its condition, this winter. The state pays the township for the plowing.

STUHRE Mr. Stuhre responded that the safety aspect of driving through there is a concern because the traffic directors are not doing a good job. The gas company is doing a worse job of repaving after their work is done.

HOLMAN Mr. Holman stated that the gas company had created the slowdown in the project. That pulled Kinsley off and they had to slow down and wait for the gas company to move forward. They were doing their work at night. Mr. Holman stated that Mr. Lauer was very frustrated as he had to continue to tell them about the holes and bumps. Township trucks go up and down Mt. Zion all the time, and they are having problems. He and Mr. Lauer had traveled the road this week following the last meeting with Kinsley. One way that might get the state moving would be to indicate that the township will not plow it this year.

SCHENCK Chairman Schenck commented that there would be no harm in adding Mr. Stuhre's suggestions.

GURRERI Mr. Gurreri noted agreement with both Mr. Lauer and Mr. Stuhre.

HOLMAN Mr. Holman asked for the Board's consensus as he would prepare a Resolution for the next meeting.

Consensus of the Board was to remove Mt. Zion Road from the Municipal Winter Agreement for 2008-09 if substantial improvements are not made to the surface of Mt. Zion Road.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:40.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION**

**JULY 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, July 24, 2008 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Mike Bowman
George Dvoryak
Nick Gurreri

MEMBERS NOT

IN ATTENDANCE: Don Bishop, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order and stated that it had been a scheduled, advertised Work Session for the purpose of hearing an update from Legislative Representatives regarding Interchange ideas. He indicated that both Representative Stan Saylor and Keith Gillespie were present.

SAYLOR Representative Stan Saylor stated that his purpose for the meeting was to discuss the road improvements involving the Longstown intersection, Cape Horn Road, Heritage Hills development and Interstate 83 improvements. A summary of the main points follows:

- Discussion of Longstown Intersection and Interstate 83 began in 1996.
- Longstown Intersection project is in the final design stages.
- Only one traffic light on Mt. Rose Avenue at Plymouth Road is planned for traffic safety.
- A number of properties will be taken in the area of Chambers Road, including that which is required for water retainage basin.
- Cape Horn Road will be redesigned to five lanes; Windsor Road will be three lanes.
- Springettsbury requested the Heritage Hills development plan to include light at Plymouth Road.
- Resident concerns involve increased traffic in Haines Acres, on Cambridge, on Plymouth and Carroll. Improvements should alleviate those concerns.
- Construction is scheduled for 2010; currently undergoing the environmental process.
- Interstate 83 improvement cost is at \$52 million; will include major changes to Camp Betty Washington Road.

- Improvements on 83 will require taking of approximately 100 properties; environmental issues involve crossing wetlands.

SCHENCK Chairman Schenck commented that it is the township's opinion that the reason for traffic backup at the Longstown intersection related to the improvements made by the township at great expense on Market Street and Edgewood to aid traffic flow. The bottleneck is at the other end.

SAYLOR Representative Saylor responded that Springettsbury Township is a model for the rest of York County as far as township and highway planning. Not only has Springettsbury done good planning, but also invested dollars to assure the safety of township traffic. He added that he had mentioned that statement many times as an example for all townships.

SCHENCK Chairman Schenk thanked him for his comments.

HOLMAN Mr. Holman noted that he had provided a letter in the Board's packet with regard to Exit 18 concerning the environment. Environmental clearance is estimated for spring 2009.

SAYLOR Representative Saylor added that PennDOT had assigned project managers to this project, which is expected to follow the project through to completion.

RAUSCH Solicitor Rausch asked how critical the Heritage Hills plan would be to the state's plan.

SAYLOR Representative Saylor responded that he did not want to make any suggestions as to the approval of the Heritage Hills Plan either to Springettsbury or York Townships. He simply wanted to be clear that a traffic light should be at Plymouth Road to accommodate public safety. Any approvals of the Heritage Hills plan will not affect PennDOT's planning. They are moving forward.

RAUSCH Solicitor Rausch commented that if the Heritage Hills plan is delayed, the Longstown improvements will proceed, Chambers Road will still be closed, and a light will be installed at Plymouth.

SCHENCK Chairman Schenck noted that the Heritage Hills developer seemed completely open to the ability to build that road to provide some relief to the neighborhood.

SAYLOR Representative Saylor understood that before the township gave him approval to build, Mr. DeRose wanted to see the state's project move forward quickly. Representative Saylor's desire as a State Representative and Chairman of YAMPO fits with what Springettsbury Township wanted to achieve.

HOLMAN Mr. Holman commented that Windsor, York, Spring Garden and Springettsbury had been meeting over the last few years to discuss all three projects: Longstown

intersection, 83 and Mt. Rose from Haines to Chambers to Prospect where it ties together. Coordination of all the projects by all the municipalities should help.

SCHENCK Chairman Schenck commented that some time ago Springettsbury had participated in a joint venture with Windsor Township to engineer some minor road improvements, which were paid for by Springettsbury and the state built it.

SAYLOR Representative Saylor stated that the possibility of four lanes on Interstate 83 should also help to accommodate the overall traffic pattern. The 83 project is moving behind the Mt. Rose Avenue/Longstown project. Previous improvements were made to the Springwood Road in York Township at Camp Betty Washington Road which should coordinate as well.

HOLMAN Mr. Holman noted that Representative Saylor had suggested that the Board appoint a special Transportation Committee to oversee the access points of those roads. The Board liked the general concept and that is being reviewed with York County and others as part of the planning.

SAYLOR Representative Saylor indicated that moving forward with the Interstate 83 project affects both York and Spring Garden townships, but the issues affect Springettsbury more. He understood that Springettsbury's Police Department spends at least a few hours each day in that area. He indicated it was crucial for that project to be closely followed to be sure of an overall improvement as they move through the design process.

SCHENCK Chairman Schenck thanked him for his presentation. He asked Representative Keith Gillespie if there was anything he wanted to add.

GILLESPIE Representative Gillespie responded that he had nothing to add. He stated that it was important for him as well, and noted that improvements to Interstate 83 and Mt. Rose Avenue were long overdue and will certainly tie in very well going forward.

2. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the Work Session at 7 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 24, 2008 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
George Dvoryak
Nick Gurreri

MEMBERS NOT

IN ATTENDANCE: Don Bishop, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
David Wendel, Director, Parks & Recreation
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 in the opening ceremony.

A. Opening Ceremony

GURRERI Mr. Gurreri welcomed the attendees, including York Counts, along with the new police officers. He led the Pledge of Allegiance. He asked that the men and women in the armed services be remembered in prayer.

B. Loyalty Oaths – Patrolmen Brittney J. Baughman and Chad R. Moyer

SCHENCK Chairman Schenck announced that two new police officers will be joining the force. He asked Chief Eshbach to lead the ceremony.

ESHBACH Chief Eshbach introduced Chad Moyer and Brittney Baughman. He provided information on each new officer, both of whom had joined the police force on Monday, July 7, 2008. They entered Harrisburg Area Community College for the 94th Municipal Police Academy. Upon

successful completion at the police academy both officers will begin an in-house 14 week field course of instruction.

SCHENCK Chairman Schenck led the Patrolmen in the Loyalty Oaths.

ESHBACH Chief Eshbach presented the official Identification Badges. Chad Moyer will be Officer #14, and Brittney Baughman will be Badge #21. He introduced their family members and friends. He presented them with a book entitled, "I Love a Cop." He congratulated them and introduced them to the board.

SCHENCK Chairman Schenck stated that Springettsbury Township considers police officers very important and promises to take good care of them.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. June 26, 2008 – 9:00 p.m. (re: personnel)

SCHENCK Chairman Schenck announced that Mr. Bishop, Vice Chairman, would not be present as he was on vacation. He also announced that, following the June 26th meeting an Executive Session was held to discuss a personnel matter.

3. COMMUNICATION FROM CITIZENS

Mt. Rose Avenue/Heritage Hills Development

SLATKY Mr. John Slatky, 3673 Cimmeron Road, spoke with regard to the light at Chambers Road, He had lived in Springettsbury Township since 1974 and goes through the traffic light at Chambers Road several times each day. He had been pleased with all the improvements made by PennDOT, Springettsbury, York and Windsor Townships. He cited the proposed changes to Mt. Rose Avenue and suggested three traffic lights, one at Plymouth, one at Chambers and the Longstown intersection. He also added his concern that his car wash would be taken in the process. Mr. Slatky suggested that the three traffic lights could be electronically coordinated and in that way the small business would not have to go out of business.

SCHENCK Chairman Schenck responded that, in working with the Heritage Hills re-development, the Township advised that a traffic light would be necessary.

HOLMAN Mr. Holman noted that there was no bonding in place.

SCHENCK Chairman Schenck stated that Heritage Hills does not have an approved plan to date. He asked Mr. Slatky whether he had heard concerning the land taking from PennDOT or from York Township.

SLATKY Mr. Slatky responded that he had just heard that during the earlier Work Session. Representative Saylor indicated properties would be taken, and it seemed to be in the area of his business. He added that with a road extended to Plymouth, motorists would have to go the other direction and make a U-turn back to his business.

SCHENCK Chairman Schenck stated that he wanted to be sure he understood his comment about being put out of business. It was not necessarily that the property was being taken, but more a concern of access.

SLATKY Mr. Slatky suggested leaving the light at Chambers Road, improve the signal and widen the road at Longstown, and everyone will be happy. He could foresee a back up going down the hill as well. He asked for some input as to why three lights would not work. He thought it would if all three worked together. He thought any taking of land from one person to another would be wrong.

SCHENCK Chairman Schenck indicated that his comments were appreciated. He stated that it was a very convoluted area because of the three townships touching the intersection. In addition, there is a state highway involved over which no township has any control. Springettsbury Township has requested a traffic light as part of the Heritage Hills development, which is the township's responsibility. However, he stated he understood Mr. Slaky's issue.

MARTIN Richard Martin, stated he is the owner of the property on the corner of Chambers Road. His business is right at the light, and he agreed with everything Mr. Slatky said as far as cutting down business. He had purchased his lot because it was a corner lot before the traffic light was put in, which had benefited his business more for the clients to get in and out on the road. He wanted to be on record that he agreed that the light at Chambers Road should stay.

SCHENCK Chairman Schenck thanked both Mr. Martin and Mr. Slatky and encouraged them to share their comments with York Township as well, since that area was actually in York Township. He asked for clarity whether they had attended the meeting because Representative Saylor made the presentation on the overall project and Springettsbury's involvement in the Heritage Hills development.

SLATKY Mr. Slatky responded that he had asked York Township about it and the response was that during a meeting last month the subject went badly. He added that it was apparently because York Township was not aware of a lot of these changes. They had problems with the traffic light in this

intersection for years, and they are just as concerned about it as Springettsbury.

4. PRESENTATION FROM YORK COUNTS

SCHENCK Chairman Schenck introduced a presentation by York Counts with Dave Meckley, Carl Anderson and Beau Baumer.

MECKLEY Mr. Meckley thanked the board for the opportunity to make a presentation with regard to the concept of the Public Safety Feasibility Study. The Board had been provided a packet of materials with polling results, York Counts background, a summary of the Police Executive Research Forum, background of York Counts and information about the York Counts/Metro Summary, along with sample motions for the Board's approval. Discussion involved the following summary:

- What is York Counts/ Metro York – Encompasses Quality of Life Issues
- Public Safety Commission – Metro York Task Force recommendations involved police consolidation/public safety; feasibility analysis undertaken.
- Meetings held with DCED – Identified potential funding sources for feasibility study.
- Met with State Auditor General re/pension fund administration and other police benefits.
- Metro York Task Force concluded that regional police department would be more efficient and less costly in the future.
- What's happening now? Presentations being made in all municipalities for consideration of participation in a committee to commission the feasibility study.
- Two municipalities to become fiscal agents for state funding through Shared Municipal Services Grant through DCED.
- PERF, Police Executive Research Forum, will conduct the study; national expertise.
- Berks County currently undergoing similar study.
- What will be studied? Staffing, inventory, crime data, policing strategies, mutual aid, pension and benefits.
- Cost of the study – PERF estimated a range of \$50,000 to \$65,000.
- DCED indicated that the Shared Municipal Services Grant could be available to fund.
- Municipalities may have to contribute possibly with a point person to work with PERF.
- What's Needed? Board to consider two motions: 1) agree to take part in the study and 2) name an individual to serve on a Public Safety Committee to coordinate the effort. Motions are necessary in order to apply for Shared Municipal Services Agreement Grant.

- Timetable – mid-October to make municipality presentations.
- Poll results indicated 80% of York Countians are interested in a study for improved services.

SCHENCK Chairman Schenck noted that the board had just been through a round of these types of studies for the fire merger with DCED. He asked how they are pro-actively assigning the agency picked to do the study and whether Metro York will get the individual they desire through DCED.

MECKLEY Mr. Meckley responded that through PERF they have every opportunity to select the person they want with PERF. He added that they would make that a condition of whether or not to move forward.

SCHENCK Chairman Schenck asked whether they had any idea of how much of an approval would be needed as to the number of municipalities that would agree to participate in the study.

MECKLEY Mr. Meckley responded that from a York Counts perspective they thought it was very important that the City and at least four or five other entities around it participate.

SCHENCK Chairman Schenck asked what type of person they were searching for from the municipality, i.e., elected officials, staff, and police chiefs.

MECKLEY Mr. Meckley responded that they are looking for elected officials as it will be decided by elected officials. Should the elected officials group determine that police chiefs are needed, or township managers are needed, that will be fine. He added that they will be closely watching the Berks County effort and PERF.

DVORYAK Mr. Dvoryak asked whether PERF also would assist with implementation of their recommendations, or whether they are an independent group that would do an unbiased study.

ANDERSON Mr. Anderson responded that they are an independent group that includes experts specifically involved with a combined knowledge of police departments and with some specific knowledge related to pensions and benefits.

RAUSCH Solicitor Rausch asked exactly what exactly they will be studying in Berks.

MECKLEY Mr. Meckley responded that it had been commissioned at Berks with the idea that it came from the county. Theirs is county-wide so 100% of municipalities will be studied. They will face the same funding and merging issues and will not exclude the city, which will be similar.

ANDERSON Mr. Anderson commented in terms of doing due diligence with state officials, and particularly looking at the question of whether it might be legal, ultimately it might be necessary to do some legislation. They met with local legislative representatives, who were in agreement in terms of supporting the approach. They had found a piece of legislation that would support this approach for regional police forces.

RAUSCH Solicitor Rausch asked whether York County would be involved.

MECKLEY Mr. Meckley responded that Commissioner Doug Hoke is a member of the York Counts board. They have had numerous conversations with the Commissioners concerning the Chronister Crime Plan. York Counts, as an organization, had been unable to align with that plan. They are very interested in working with the County, but there was nothing specific at this point. Commissioner Hoke had been very helpful in terms of participation and assistance in moving forward.

SCHENCK Chairman Schenck stated that Springettsbury's practice had been that when presentations of this nature are made, the Board generally allows some time to think about it and perhaps request additional information. He asked whether they were expecting immediate action.

HOLMAN Mr. Holman responded that in terms of his previous meeting with them, they were not expecting action this date. They wanted to present the information for the board to review and come up with additional questions or comments for the board to be able to do additional research with regard to the facts.

5. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that the Grit Removal project was substantially complete and operational. Some associated work is still to be done, such as sidewalks, roads, etc. Mr. Schober provided drawings for the Meadowlands Pump Station to be used in discussions of right-of-way with York County. He also had general permits for signature.

HOLMAN Mr. Holman noted that the state did allocate funding for grants on the BNR project.

SCHOBER Mr. Schober added that they are using the Commonwealth Finance Authority. They have \$800 million and Springettsbury should be able to receive some of that.

B. Civil Engineer – First Capital Engineering

- LUCIANI** Mr. Luciani provided several updates to his written report of July 24, 2008. A summary of points follows:
- PennDOT plans to raise two bridges on Sherman Street. Flood Plane Consistency and Storm Water Consistency letters are needed. Some impact on the sewage facility and rights-of-way.
 - Adoption of Consolidation Construction Material Specification – includes specific materials involving light standards, sidewalks, curbs, manholes, sanitary sewers. Also included were emergency pre-emption devices, battery backup for lights, Econolite equipment, flowable fill as well as Superpav; all noted in the specification.

SCHENCK Chairman Schenck asked whether the flowable fill is commercially available.

LUCIANI Mr. Luciani responded that it is available through Zieglers, Kinsley and Millers, all who carry it.

6. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 9 – Grit Removal Improvements Project in an amount not to exceed \$156,268.78.**
- B. T. R. Stoner General Contractor – Application for Payment No. 6 – Penn Oaks Park Project in an amount not to exceed \$123,966.**
- C. Acknowledge Receipt of June 30, 2008 Treasurer’s Report.**
- D. Acknowledge Receipt of May 20, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- E. Acknowledge Receipt of June 17, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- F. Regular Payables as Detailed in the Payable Listing of July 24, 2008.**
- G. Board of Supervisors Conditional Use Hearing Minutes – May 22, 2008.**
- H. Board of Supervisors Regular Meeting Minutes – June 26, 2008**
- I. SD-08-03 – Time Extension – Pam Long SD – Plan Expires 8/25/08 (New Plan Date 11/25/08).**
- J. SD-08-02 – Time Extension – Rite Aid/Jiffy Lube – Plan Expires 8/25/08 (New Plan Date 11/25/08).**
- K. LD-08-05 – Time Extension – Rocky Ridge Restrooms – Plan Expires 8/23/08 (New Plan Date 11/23/08).**
- L. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 8/26/08 (New Plan Date 11/26/08).**
- M. SD-07-07 – Time Extension – Heritage Hills Reverse SD – Plan Expires 8/27/08 (New Plan Date 11/27/08).**
- N. LD-07-08 – Time Extension – Heritage Hills Hotel – Plan Expires 8/23/08 (New Plan Date 11/23/08).**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA A THROUGH N. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. ACCOUNTS PAYABLE

There were no additional Accounts Payable for action.

8. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Advertise for Bids – Sanitary Sewer Maintenance Service Contract.

HOLMAN Mr. Holman stated that this action is taken every three years. This is due to this next project for this year and options to renew for the next two years.

MR. BOWMAN MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Agreement with Allan A. Myers, Inc., Rummel Klepper & Kahl, LLP, and Hanover Insurance Group for Settlement Agreement arising from Design and Construction of Diversion Pump Station.

SCHENCK Chairman Schenck noted that the item related to the diversion pump station built in 1999. Finally at the end of a lengthy discussion, the board needed to authorize the agreement.

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH ALLAN A. MYERS, INC., RUMMEL KLEPPER & KAHL, LIMITED PARTNERSHIP AND HANOVER INSURANCE GROUP FOR SETTLEMENT AGREEMENT ARISING FROM DESIGN AND CONSTRUCTION OF DIVERSION PUMP STATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization for Contract Amendment with T. R. Stoner to increase amount from \$459,304 to \$473,614 to provide for ADA Improvements to Fayfield, Kingston and Camp Security Parks.

HOLMAN Mr. Holman referred the board to his supplemental report dated July 24th with regard to the amendment, which changed the amount from \$459,304 to \$480,876. He explained that \$20,000 of this is a DCNR Grant for ADA Improvements to Fayfield, Kingston and Camp Security parks. The Township will match it with funds currently in District 4 with \$1,572.00. A contract was bid with T. R. Stoner under DCNR requirements for Penn Oaks Park. DCNR agreed that an amendment can be done to that contract

without having to go out to re-bid. They brought new bid specs to do the ADA improvements in the three other parks. That was very helpful and provided the ability to put more money toward construction and less towards bidding. He thanked Teri Gilfillan and David Wendel for their hard work.

MR. BOWMAN MOVED TO AUTHORIZE FOR CONTRACT AMENDMENT WITH T. R. STONER TO INCREASE AMOUNT FROM \$459,304 TO \$480,876 TO PROVIDE FOR ADA IMPROVEMENTS TO FAYFIELD, KINGSTON AND CAMP SECURITY PARKS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Enter into Development Agreement with Members 1st Federal Credit Union for Development of Branch on Whiteford Road.

HOLMAN Mr. Holman stated that the agreement included some widening of the work at Members 1st.

LUCIANI Mr. Luciani added that as part of its bank development approval several months ago, Members 1st was asked to put curb and sidewalk along the south side of Whiteford Road, and to extend sidewalks from the Talbott store down the ramp. In addition, they have to put a left-turn lane in, so they are providing for improvements on township public roads.

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO DEVELOPMENT AGREEMENT WITH MEMBERS 1ST FEDERAL CREDIT UNION FOR DEVELOPMENT OF BRANCH ON WHITEFORD ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Authorization to Approve Professional Services Agreement with URS Corporation (Marian Hull) for Development of Town Center Plan in an amount not to exceed \$61,300.

HULL Ms. Marian Hull provided an update for the township on progress made since the Comprehensive Plan development on the idea of the Town Center for Springettsbury Township. Because of its complexity an Advisory Committee was formed to identify what it would mean to have a Town Center in Springettsbury. They developed a Scope of Work. Ms. Hull provided a PowerPoint presentation including the following points: What is a town center, goals, core identification of primary goal, gateways, Market Street/Memory Lane, bike and pedestrian network, Eastern Boulevard, gateway 83/ southern gateway, Market Street/eastern gateway, market demand analysis, transportation improvements, network and connections, existing street network, primary network, alternative streetscapes, new connections, optional streetscapes, and life style center.

GURRERI Mr. Gurreri asked whether she had come up with a core.

HULL Ms. Hull pointed out colored areas in her presentation in the Eastern Boulevard area identified as the core. She continued with her presentation by adding information on multi-use paths, zoning and design, examples of some of the ideas of a design center, specific materials, vertical articulation, horizontal articulation, signs, examples, and next steps. With contract approval, there is a need to complete the existing conditions analysis, which includes the market analysis for the site. There will be community visioning workshops in the fall followed by a presentation of the plan outline. It will be similar to what was done in the Comprehensive Plan where a lucrative plan was put together. Development of the plan would be focused on in 2009 and then the ordinance will be developed.

GURRERI Mr. Gurreri commented that it was a very exciting plan but \$60,000 doesn't seem like enough.

RAUSCH Solicitor Rausch asked what would be a first project that she envisioned as a beginning point of the Town Center.

HULL Ms. Hull responded that she would start with a streetscape project and would probably involve a few blocks of Market Street as a most visible area; however, the funding will need to be available. It could be done in phases rather than the entire corridor.

HOLMAN Mr. Holman mentioned several gateways, such as Interstate 83 and Mt. Rose Avenue. Significant changes are going to take place there, and the township will have some influence on what occurs there to make it a much more attractive gateway into the township. At the same time it will strengthen the commercial and the commercial industrial development in those areas.

BOWMAN Mr. Bowman asked her to explain the potential plan for the area Mt. Rose Avenue to Kmart.

HULL Ms. Hull responded that they were thinking more in terms of a public environment there rather than redevelopment of what is currently there.

HOLMAN Mr. Holman mentioned that when the time comes to redevelop or improve areas, there are ways to plan incentives. He mentioned specific areas around Danskin Center and to the east of the railroad tracks, Shoe House Lane. By being proactive, they will address this before the need becomes acute. Mr. Holman added that it was very difficult to identify the traditional idea of a Town Center.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 24, 2008
APPROVED**

- HULL** Ms. Hull indicated the importance to maintain the quality as well as maintain market competitiveness.
- HOLMAN** Mr. Holman mentioned that the initial cost decreased by doing a Scope of Study, which helped to focus and bring the costs down from the original estimate.
- HULL** Ms. Hull added that the way it was brought down was by working with the Steering Committee to understand the focus.
- BOWMAN** Mr. Bowman asked where the funds would come from and whether it could come from grant money.
- HOLMAN** Mr. Holman responded that it can be grant money or developer money. A focus on developer money may help in improvements to streets, sidewalks, curbs, which the township currently does. Developers do make contributions to this, but this will focus on where and what that money will do with improving the looks. He noted that this is not a short-term project. The design and work that is done over two years will realistically go out five, 10 and perhaps 15 years for the impacts to occur. The area of 83 may be short term where improvements will take place by PennDOT.
- GURRERI** Mr. Gurreri commented that a lot of work was done on this all through the Comprehensive Plan.
- HOLMAN** Mr. Holman responded that he was correct. The difficulty was in understanding the Town Center concept at the same time moving through the basic building blocks of zoning and planning. He added that this will be one of the most fascinating projects.
- RAUSCH** Solicitor Rausch added that if the developments go through in York Township as planned, that area will change significantly.
- SCHENCK** Chairman Schenck indicated that the Agenda item called for discussion of whether to authorize the professional services agreement.
- GURRERI** Mr. Gurreri asked whether some of the money had been spent for the meetings already held.
- HOLMAN** Mr. Holman responded that this was up-front investment money. The meetings were just to develop the Scope of Services.
- GURRERI** Mr. Gurreri indicated that it was good to have committed people in the community to do that.

HOLMAN Mr. Holman noted that they spent three years on the Comprehensive and Zoning Ordinances and now they are willing to commit more time to take this on the commercial ventures.

DVORYAK Mr. Dvoryak asked whether the item was in the budget.

HOLMAN Mr. Holman responded that just a portion was in this year, and then it would have to be placed in next year's budget.

MR. DVORYAK MOVED TO AUTHORIZE THE PROFESSIONAL SERVICES AGREEMENT WITH URS CORPORATION FOR DEVELOPMENT OF TOWN CENTER PLAN IN AN AMOUNT NOT TO EXCEED \$61,300. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. SUBDIVISIONS AND LAND DEVELOPMENT

A. Application for Zoning District Amendment – 3000-3014 East Market Street (Yorkshire Plaza).

SCHENCK Chairman Schenck explained the process of a zoning district application. An applicant has the option to present an overview of their application. If the Board determines that the application should be considered for further study, it is moved through the process. If the Board determines it does not have merit to be further processed, the application is not moved forward.

GURRERI Mr. Gurreri complimented Mr. Skeparnias on the changes made to his corner property.

SKEPARNIAS Mr. Lou Skeparnias, Sigma Realty, introduced himself as a lifelong resident of York County and Springettsbury Township. He indicated that he was excited about the Town Center planning and looked forward to being a part of that. He continues to develop and renovate the corner and would like to conform to other properties in the neighborhood and the Town Center concept. He noted that the back building had served as a grocery store, a post office and a sales center. They have repaved everything and installed new lighting. They have done some landscaping and as soon as the renovations of the corner building are complete, they will do some heavy landscaping to the front. He focused on the rezoning of the area surrounding his property. His conflict involved the fact that his building is re-zoned right down through the middle of the property with the heavier part in the back of the building. The front zoned use cannot be used as commercial. He would like to have the zoning coincide with the use of the property historically, present and future. His intention would be to create a mixed retail/office

use, as well as an eatery. He noted it is a two-acre plot. They would request that it conform as Commercial Highway.

SCHENCK Chairman Schenck asked for clarification and conformity on the current uses.

LUCIANI Mr. Luciani responded that the General Office conforms to Neighborhood Commercial.

SCHENCK Chairman Schenck asked about the Papa John's and Rita's businesses.

RAO Mr. Rao responded that it was Neighborhood Commercial with less than 3,000 square feet each.

SCHENCK Chairman Schenck noted that they conform. He asked about the additional building.

RAO Mr. Rao responded that it is less than 4,000 square feet and does not conform.

SCHENCK Chairman Schenck noted that the 4,000 square foot building is non-conforming. He asked what the former zoning use was.

RAO Mr. Rao responded that it was Apartment/Office. The southern portion is Office.

GURRERI Mr. Gurreri asked where the line was drawn and how that could happen that a building could be in two zones.

HOLMAN Mr. Holman responded that Mason Avenue comes straight across and the zoning would follow Mason Avenue and continue that line straight through. He added that the property has a single owner.

SKEPARNIAS Mr. Skeparnias stressed that the buildings had moved through various rezoning, which is currently Neighborhood Commercial.

HOLMAN Mr. Holman noted that the Neighborhood Commercial brought the property closer to conformity than Apartment Office.

SKEPARNIAS Mr. Skeparnias noted that a Mixed Use would allow them to do a little more with the building.

SCHENCK Chairman Schenck commented that land was zoned based on the potential uses, as well as the infra-structure to support it. The roadways, traffic conditions, available services and so forth are considered. He

noted that Eastern Boulevard is a well-planned travel corridor, has good intersections and would be conducive to Mixed Use.

SKEPARNIAS Mr. Skeparnias indicated that they would like to see conformity in the zoning in consideration of the use of the past, the present and in the future.

GURRERI Mr. Gurreri noted that there is buffering from the residents in the area.

SCHENCK Chairman Schenck indicated that the Neighborhood Commercial zoning supports and provides for that.

SKEPARNIAS Mr. Skeparnias commented that his motivation was to clean up the zoning down through the middle of the building.

SCHENCK Chairman Schenck responded that it was established that everything at the site conforms other than the 4,000 square foot building. It is a pre-existing, non-conforming use and it can continue.

SKEPARNIAS Mr. Skeparnias indicated he needed to define where the line is going through his building, which has one zone on one side and another on the other side. He'd like to see some conformity.

GURRERI Mr. Gurreri indicated that when the zoning was changed, it was done to clean up the area. He agreed with Mr. Skeparnias that having a line down through the middle should be cleaned up one way or another. It had always been a commercial property.

SCHENCK Chairman Schenck stated that he was not opposed to cleaning up a parcel and could understand the frustration of having one parcel with multiple zones. However, he was not necessarily in favor of it being Commercial Highway. He did not think the neighborhood and traffic structure could support Commercial Highway on that corner.

SKEPARNIAS Mr. Skeparnias noted that his issues related to cleaning up the corner. He added that he was moving forward with a Dunkin Donuts plan with a drive-through window.

RAUSCH Solicitor Rausch stated that the irony on the drive through is that the Neighborhood Commercial seems to support the drive-through or at least does not explicitly prohibit it and the Mixed Use specifically prohibits it. He added that his point was that by zoning it Mixed Use, even if the plan for the site now has the drive through, then that becomes non-conforming.

SKEPARNIAS Mr. Skeparnias noted that it would be grandfathered.

RAUSCH Solicitor Rausch added that it would be grandfathered and would become non-conforming. In the future a drive-through would not be allowed, whereas if you kept it Neighborhood Commercial the drive through would not be prohibited.

SKEPARNIAS Mr. Skeparnias responded that he thought a drive-through was prohibited.

RAUSCH Solicitor Rausch responded that it does not indicate that one way or another. He added that Mixed Use specifically prohibits it; Commercial Highway specifically allows it; and Neighborhood Commercial is silent.

SKEPARNIAS Mr. Skeparnias asked Solicitor Rausch whether he would go on record that if the zoning remains as it is that a drive-through is not an issue.

RAUSCH Solicitor Rausch responded that would be his legal opinion. There are other certain restrictions in the Neighborhood Commercial that do not appear in the Mixed Use, such as the 3,000 square footage; however, the current square footage is grandfathered, so that is not an issue.

SKEPARNIAS Mr. Skeparnias indicated that his main purpose for meeting with the Board was to clean up the property because it was difficult to decide where to start and stop a wall with a divided zone in a building.

SCHENCK Chairman Schenck reiterated the process if the Board were to decide to move his application forward. It would first go to the Planning Commission and they would study the question; it would then go to the York County Planning Commission and be studied and come back with a recommendation.

SKEPARNIAS Mr. Skeparnias questioned whether he would have to re-apply if the Planning Commission decision on Commercial Highway was negative but stated that a Mixed Use would be appropriate.

SCHENCK Chairman Schenck responded that he would not have to re-apply. The Planning Commission could come back with a recommendation to do nothing or make an additional recommendation. They will study the problem and state what the best use for that property would be and come back with a resolution based on the application.

MR. GURRERI MOVED TO SEND THE APPLICATION FORWARD TO THE PLANNING COMMISSION FOR THE PROPERTY AT MILL STREET, EAST MARKET STREET AND EASTERN BOULEVARD FOR REVIEW. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck asked Mr. Skeparnias to stay engaged in the process and be sure to attend the Planning Commission meetings.

SKEPARNIAS Mr. Skeparnias responded that he would do so.

RAUSCH Solicitor Rausch asked for clarification on exactly what the Board had determined.

SCHENCK Chairman Schenck responded that the Board had acted on his application to move it forward to the Planning Commission for Commercial Highway. The Planning Commission will study the application.

RAUSCH Solicitor Rausch indicated he understood.

10. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman reported that he had a call from a resident who was unhappy that zoning people removed his "For Sale" signs from his property. He indicated that the way signs are placed between the sidewalk and street, the township came and picked them up without a warning.

RAO Mr. Rao stated that any sign within a right-of-way will be removed.

BOWMAN Mr. Bowman questioned whether real estate people should know that.

RAO Mr. Rao responded that they had discussed it with many real estate people to let them know that nothing should be in the right-of-way, and if it is, it will be removed.

BOWMAN Mr. Bowman noted that the resident had come to the meeting. He had missed the Communication from Citizens portion. Mr. Bowman asked whether he could speak at this time.

SCHENCK Chairman Schenck responded that he could and to use the microphone and state his name and address for the record.

BEEVER Mr. Rod Beever, 890 Woodbridge Road, commented on his concern related to an ordinance that had been in place for some time. He had reviewed the ordinance which seemed to pinpoint areas in which houses have sidewalks. He wondered why the ordinance could be enforced where homes do not have sidewalks.

RAO Mr. Rao responded that the ordinance indicated that real estate signs must be on the property that is for sale.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 24, 2008
APPROVED**

- BEEVER** Mr. Beever indicated that the way the ordinance was written it could be construed to extend to and include the sidewalks on both sides of every street.
- SCHENCK** Chairman Schenck stated that would be the right-of-way.
- BEEVER** Mr. Beever agreed but wondered about the houses that do not have sidewalks and whether they have a certain right-of-way.
- RAO** Mr. Rao responded that it is 15 feet beyond the edge of the highway.
- BEEVER** Mr. Beever added that attempting to sell real estate in this economy is difficult. He thought that the action taken to remove the signs, which makes it more difficult for the homeowner to see their property, does not reflect very well on the township.
- GURRERI** Mr. Gurreri indicated he agreed with Mr. Beever and did not think that real estate signs should be removed.
- HOLMAN** Mr. Holman indicated that the signs should be placed on the other side of the sidewalk, which would be on the property.
- BEEVER** Mr. Beever suggested that before removing the signs and disposing of them, they could be set by the person's front door with a note stating the situation so they can rectify it in just a few minutes rather than the township spending a lot of gas money driving around picking up signs, with labor costs and overhead. He understood some of the sign ordinance but thought the removal of real estate signs was a ludicrous position.
- GURRERI** Mr. Gurreri noted that the whole sign ordinance is overdone. He noted the yard sale sign ordinance.
- RAUSCH** Solicitor Rausch stated that he understood but cautioned that there was one issue to remember; there can be no distinguishing one sign from another. If the rule is going to be changed, it has to be across the board.
- BEEVER** Mr. Beever stated that he agreed with consistency. He noted that two blocks from his house there are other houses that have the same situation. Their signs remain in place.
- RAO** Mr. Rao responded that there are two inspectors with a lot of area to cover. They are on duty Saturdays and Sundays. He added that they do attempt to be consistent.
- BEEVER** Mr. Beever added one additional complaint. A friend of his had signs removed from a property and had called the township. The report was that

the person who answered the phone portrayed a lot of attitude. Mr. Beaver didn't think that was appropriate. He concluded that the township should take a look at that ordinance and how the residents in the township are treated because it hurts the township.

GURRERI Mr. Gurreri stated that the board appreciated his coming and reporting his complaint, which the board will review. There would be no excuse for someone treating a resident badly. Removing the signs is within the ordinance, but treating anyone badly is not what this board wants to see happen. He apologized to Mr. Beaver.

BEEVER Mr. Beaver thanked the board for allowing him to speak.

GURRERI Mr. Gurreri asked whether there had been any progress with the No U-turn issue at Concord Road.

HOLMAN Mr. Holman responded that Mr. Lauer is working on that project. It definitely needs a sign. The only issue is to determine whether or not approval is required from the state.

GURRERI Mr. Gurreri asked about the refund from the appraisal on East Market Street with the state.

HOLMAN Mr. Holman responded that he is working with the Solicitor on that issue.

SCHENCK Chairman Schenck stated that he was surprised to see the new regulations posted at the park allowing people to walk their dogs. In addition, he saw the stations with containers. It was a nice touch, and he wanted to thank whoever collectively or independently came up with that idea. He had several positive comments from residents about it.

GURRERI Mr. Gurreri reported he had his grandchildren in the park and there was a dog there with no problem. The kids were sitting on the bench with the dog. He asked that the area at the swings be checked because there were some big holes with water laying in them in a few places. It appears to need some maintenance.

WENDEL Mr. Wendel responded that in some areas the mulch had become displaced

GURRERI Mr. Gurreri noted that, other than that, Mr. Wendel and his staff were doing a good job.

11. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated that a Notice of Appeal had been filed with Commonwealth Court on the Brenneman Zoning Appeal. This was based

on several legal issues that need to be reviewed by Commonwealth Court on the lower court's decision. The Board had been canvassed on this Appeal ahead of time. He requested that the Board ratify that Notice of Appeal.

GURRERI Mr. Gurreri asked whether that matter should be discussed in an Executive Session.

RAUSCH Solicitor Rausch responded that was correct.

**MR. BOWMAN MOVED TO RATIFY THE DECISION TO APPEAL THE
BRENNEMAN ZONING RULING.**

GURRERI Mr. Gurreri commented that he thought it should be reconsidered.

DVORYAK Mr. Dvoryak indicated he had not been present for the dialogue, and the Executive Session may help update him.

HOLMAN Mr. Holman suggested that at the end of the meeting instead of adjourning the meeting the board could go into an Executive Session and reconvene following the Executive Session.

RAUSCH Solicitor Rausch agreed with that action.

SCHENCK Chairman Schenck stated that the Motion died for lack of a second. The issue will be dealt with during Executive Session.

GURRERI Mr. Gurreri asked how much time was available on the Appeal.

RAUSCH Solicitor Rausch responded that it was 30 days from the Judge's decision which was July 2, so it would be August 2, 2008.

AWI Land Development Plan

RAUSCH Solicitor Rausch reported that some discussions had taken place with AWI on their outstanding Land Development Plan, which had been in place for a number of years. There were some problems with PennDOT and they were getting a turn back on some real estate. All that took a while to accomplish but it finally has been completed, and they are moving ahead. They are working on some final revisions to their plan. The Township had done a condemnation and paid them just compensation, which they accepted; however, the Township has not completed the process. There is a six-year Statute of Limitations for them to file for a Board of View if they were so inclined. As a protective measure they asked the Township to extend the Statute of Limitations. The six years is up in September, and it is hoped that the Land Development Plan will be completed by that time. Solicitor Rausch did not think an extension was an unfair request.

He requested the authority to sign the letter authorizing the extension of the Statute of Limitations pending their approval of the decision on their Land Development Plan.

MR. GURRERI MOVED TO AUTHORIZE THE SOLICITOR TO SIGN THE LETTER AUTHORIZING TO EXTEND THE STATUTE OF LIMITATIONS PENDING AWI'S APPROVAL OF THE DECISION ON THEIR LAND DEVELOPMENT PLAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch stated that a decision had been prepared on the York County Transportation Authority request for bus shelters. That was a Conditional Use. The board held the Hearing and a decision was made with findings of fact, conclusions of law and the board's decision that it made during the July meeting to approve the application granting modifications to the actual size of the shelter and for the benches to be less than six feet as required by the International Building Code. Solicitor Rausch asked for a Motion to allow the Chairman to sign the decision so it can be mailed out and made part of the record to complete that Conditional Use process.

MR. GURRERI MOVED TO AUTHORIZE THE CHAIR TO SIGN THE DECISION TO APPROVE THE APPLICATION BY YORK COUNTY TRANSPORTATION AUTHORITY FOR BUS SHELTERS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. MANAGER'S REPORT

HOLMAN Mr. Holman noted that he had nothing further to report other than matters for discussion in the Executive Session will be held this date.

Executive Session – 7/24/08

SCHENCK Chairman Schenck announced that an Executive Session will be held immediately following adjournment of the Regular Meeting this date.

HOLMAN Mr. Holman added that it will be regarding legal issues relating to the Brenneman, Darrah, Norfolk Southern, and Collective Bargaining matters. No potential litigation will be discussed.

13. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-06 – Amending Chapter 312, Section 41 of the Code of Ordinances (Parking of Certain Vehicles in Residence Zones Restricted).

MR. GURRERI MOVED TO APPROVE ORDINANCE 08-06 AMENDING CHAPTER 312, SECTION 41 OF THE CODE OF ORDINANCES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-44 – Annual Road Projects – Request for County Aid

MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 08-44, ANNUAL ROAD PROJECTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 08-45 – Authorizing Supplemental Appropriation from Liquid Fuels Fund Balance for Road Construction Costs.

MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 08-45. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 08-46 – MPOETA Basic Training – Patrolman Brittney J. Baughman

E. Resolution No. 08-47 – MPOETA Basic Training – Patrolman Chad R. Moyer

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 08-46 AND 08-47. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. OLD BUSINESS

There was no Old Business for discussion.

15. NEW BUSINESS

A. Resolution 08-48 - Adoption of Construction and Material Specifications for Land Development and Sanitary Sewerage Facilities.

HOLMAN Mr. Holman referred to discussion with regard to the construction material specification and land development. In reviewing it with the Solicitor they were unable to determine where or when the old ones were adopted. They believe it would be best to adopt these by Resolution so they can go back and find when the adoption occurred so that when an amendment would be needed sometime in the future, they will be able to reference back to that. He requested that the Board adopt Resolution 08-48. He added that the entire Resolution would be loaded into the website for anyone who wanted to review the Township's construction plans and specifications and copies can be downloaded at any time.

MR. BOWMAN MOVED TO ADOPT RESOLUTION 08-48. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck recessed the meeting at 9:15 p.m. for an Executive Session concerning Litigation on the Brenneman Zoning Appeal.

SCHENCK Chairman Schenck reconvened the Regular meeting at 9:40 p.m.

SCHENCK Chairman Schenck stated that there was one item of business remaining regarding the Brenneman Zoning Appeal, for which the Solicitor had requested the Board to ratify the decision to move forward with an Appeal.

MR. DVORYAK MOVED TO RATIFY THE DECISION TO APPEAL. MR. BOWMAN WAS SECOND. MOTION CARRIED 3/1. MR. GURRERI VOTED NO.

16. ADJOURNMENT

SCHENCK Chairman Schenck reminded the Board of an additional Executive Session following adjournment with regard to the Darrah Motor Sports Zoning Appeal, Norfolk Southern and Collective Bargaining matters. Chairman Schenck adjourned the meeting at 9:45 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 26, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

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

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Harish Rao, Community Development Director
Charlie Lauer, Director of Public Works
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Jack Hadge, Finance Director
Dave Eshbach, Chief, Police Department
Bob McCoy, Chief, YAUFRR
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He asked Mr. Gurreri to conduct the opening ceremony.

GURRERI Mr. Gurreri welcomed the attendees and led the Pledge of Allegiance.

B. Continuation of Conditional Use Hearing Re: Bus Shelters

SCHENCK Chairman Schenck stated that a continuation of the Conditional Use Hearing regarding bus shelters would be held at this time. He noted that the same individuals were present so there was no need to swear people in for testimony.

FELTENBERGER Mr. Tom Feltenberger, representative of York Area Transportation Authority and Lamar Advertising, stated that he had prepared two narratives, of which he had provided copies to the Board.

SCHENCK Chairman Schenck noted that he had provided a thorough packet of documentation.

FELTENBERGER Mr. Feltenberger moved through his narrative with exhibits showing the current proposal and long-range plan map, letter of approval from the York

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

County Municipal Transportation Authority, size and measurements of the shelters, township specifications, Lamar's transit operating procedures, signed consent forms, signage and lighting, a location map of the Giant #12 existing shelter, and a letter from PennDot verifying the sight distance on every location. He added that he had created a document regarding the engineering data as well. He then reviewed each point mentioned in a May 22nd letter from First Capital Engineering for which he had provided exhibits as well.

BISHOP Mr. Bishop asked whether anything would change with regard to the existing shelter.

FELTENBERGER Mr. Feltenberger responded that the existing shelter could be retrofitted in the future. It would have to be changed from north/south to east/west and pour a new pad. He believed it still to be in good condition; however, it could be changed to meet the specifications of the other shelters. At this time there were no plans to make any changes.

BISHOP Mr. Bishop noted that the existing shelter had no advertising. He asked whether Mr. Feltenberger had any plans for advertisement.

FELTENBERGER Mr. Feltenberger responded that it was possible to place some advertisement there in the future.

BISHOP Mr. Bishop asked Mr. Luciani whether any land development would be required.

LUCIANI Mr. Luciani responded no, under this conditional use, other than a building permit for a specific structure that would be the extent of the approval. The structures would not apply to setbacks, etc., which would include any changes to the existing Giant shelter.

SCHENCK Chairman Schenck asked if anyone wanted to provide additional testimony in the case. Procedurally the testimony portion will be closed, and the Board may choose to further discuss or act upon the application.

BISHOP Mr. Bishop noted that they had provided a much better presentation.

RAUSCH Solicitor Rausch commented that they had met the requirements of the Zoning Ordinance, and the Board would need to render a decision with the dimensions as requested.

**MR. GURRERI MOVED TO APPROVE YORK AREA TRANSPORTATION
AUTHORITY, RABBIT TRANSIT APPLICATION FOR BUS SHELTERS CONDITIONAL
USE WITH SPECIFIC MEASUREMENTS AS PRESENTED. MR. BISHOP WAS
SECOND.**

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

SCHENCK Chairman Schenck stated that the dimensions in question were the height and width requirements as presented by the applicant.

BISHOP Mr. Bishop stated that the bench was as presented.

RAUSCH Solicitor Rausch added for absolute clarity that the specific shelters are 1, 2, 7, 9, 10 and 11 as requested on the application. There had been discussion at the last hearing about other bus shelters.

MOTION UNANIMOUSLY CARRIED.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since the last meeting.

BISHOP Mr. Bishop asked for a brief Executive Session regarding personnel issues.

SCHENCK Chairman Schenck announced that there would be an Executive Session for personnel matters following the meeting this date.

3. COMMUNICATION FROM CITIZENS

TROXELL Mr. Jim Troxell and Mrs. Joy Troxell of 1842 Ridgewood Road approached the Board concerning a change in their boundary line. They presented documentation to the Board members. They have owned the two lots for 16 years. He identified the lots as 5B and 5C which are joined with a common property line between them. They are requesting to move the property line which would change the size of the 5C property. He had researched the ordinance with regard to the minor subdivision definition. No additional lots are being created or additional buildings, structures, roads, utilities or other improvements. He understood that he needed to request a minor subdivision waiver from the Board so that the property line can be moved.

SCHENCK Chairman Schenck stated that he had discussed this with Mr. Troxell and suggested to him that he come to the meeting and address it with the Board. The main reason they are here is that when they did approach the township originally there was discussion about building a new home on lot 5C. The ordinance indicates that it does not anticipate new construction, and that was where questions arose. Chairman Schenck stated that he personally thought that this was the intent of the minor subdivision when it was written.

LUCIANI Mr. Luciani stated that when staff met with Mr. Troxell about the minor subdivision initially, they took a hard look at the definition and interpretation. Because the proposal presented indicated their intent to build a retirement-friendly home, the new construction presented a question as to whether this was a minor subdivision. A minor subdivision was to simplify the process by

not having to request waivers of curbs and sidewalks, widening and topography.

TROXELL Mr. Troxell noted that lot 5C is a buildable lot which has a 200-foot road frontage. It also has a sewer lateral on it. He explained that he was not requesting the subdivision to obtain the rights to build, but rather to build back a little further.

SCHENCK Chairman Schenck noted that it appeared to be about three-quarters of an acre.

TROXELL Mr. Troxell clarified that it is a half an acre. He noted that they have a total of 3.1 acres.

SCHENCK Chairman Schenck confirmed that it was buildable as is, and he could have built a house there with just a Building Permit. He added that lot 5C already has the potential sewer connections, water so none of those items would be developed. He commented that what the Troxell's were asking for was for the Board to determine whether it is a minor subdivision or not so that the staff can move forward.

GURRERI Mr. Gurreri noted that they could build the house, but it would be a better plan. The house wouldn't even be seen from the road because of the woods.

SCHENCK Chairman Schenck asked Solicitor Rausch whether he could foresee any problems.

RAUSCH Solicitor Rausch responded that he did not and suggested a consensus of the Board to get it on record.

Consensus of the Board was acknowledgement of the Troxell proposal with direction to staff to review it as a minor subdivision with the possibility for waiver of curbs and sidewalk.

Audit Report – Item 14. C

SCHENCK Chairman Schenck requested a deviation from the Agenda to allow the auditor to present the audit report.

REINER Mr. Michael Reiner presented two audit reports for the township. One was the report in conjunction with the Inter-Municipal Grant for the sewer operation, and also the 61-page Audit report for the township. The Board had been provided written copies of the Audit. He presented highlights of the report. The township actually had a single audit report. It was necessary to raise the level of the audit due to the level of Federal awards received by the township during the past year. The audit statement indicated a clean opinion. Mr. Reiner moved through the entire report very quickly, and based on the report, they provided a clean opinion on audit compliance. There were no audit findings. He noted that the summary of audit results provided an unqualified opinion with no areas of non-compliance with no qualified

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

weaknesses. A management letter had been written with four comments, all of which had been reviewed with management prior to the presentation.

SCHENCK Chairman Schenck stated that it was a lot of hard work and congratulated the staff again on a clean report.

REINER Mr. Reiner indicated he had turned over documents to the other auditors as well for the fire company.

SCHENCK Chairman Schenck commented that they expect the fire company finances to be finalized during 2008.

REINER Mr. Reiner indicated he had a number of meetings with Don Eckert to review those issues, which were slightly more difficult this year with the merger.

SCHENCK Chairman Schenck acknowledged that fact and stated that it will get better.

DVORYAK Mr. Dvoryak commented that he was curious to know the background related to Mr. Reiner's recommendation to increase the bond to \$4 million.

REINER Mr. Reiner responded that they reviewed the volume of activity handled at different times in the year. A review of the statement as of 12/31, the Township managed \$4.8 million in cash and investments which are slightly over \$8.5 million, and which total almost \$13 million. Add to that an additional \$12 million for a total of almost \$25 million in investments to be managed and handled at different times for the volume of activity. Based on their judgment they would go to \$4 million due to the growth and levels of activity.

DVORYAK Mr. Dvoryak thanked him for the information.

SCHENCK Chairman Schenck noted that the Agenda required an acknowledgement of the receipt of the audit report.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE 2007 AUDIT REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck thanked Mr. Hadge for his work on the audit as well.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober reported that the equipment is being removed from the Grit Removal Improvements project site, and the project will be completed within the next week. With regard to the BNR Improvements project, the PADEP permit was received, which will enable the project to begin. Remaining projects are all moving ahead.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided several updates to his written report. They continue to work on developer specifications for implementing the battery backup. They expect to have it on the Agenda for the Board by the July meeting. They have been working with Solicitor Rausch toward a July 1 Public Utility Commission Hearing. Norfolk Southern has contested. They believe that the proposed crossing at Davies Drive is a superfluous/not needed crossing and that traffic can simply use Pleasant Acres Road to go behind the Magistrate's office, which they think, is a satisfactory road. However, it is narrow with cars backing out onto that road; it's substandard with a local road classification. Eventually as traffic builds up just like Concord Road did, that will be a minimal collector road and not an arterial. If the PUC does not agree with our side, they will be taking a high volume of traffic and routing it to a road that really cannot handle it. Strategically Norfolk Southern continues to say their concern is safety for the public, and Mr. Luciani will obviously make that same statement. In order to get out of the 911 Center, they want to bring those cars to a newly-created intersection at AMC with a controlled signal to get motorists in and out. The data will be presented at the July meeting, and from what Solicitor Rausch heard all the testimony can conclude in one day. Not having the right-of-way publicly adopted glitch was handled a year ago, so they are prepared for this meeting and hope to be successful.

BISHOP Mr. Bishop asked about the status of the Rocky Ridge park expansion. He understood there are some waivers that they are going to need and road improvements.

LUCIANI Mr. Luciani responded that the Parks people came to staff meeting. They propose to add a new restroom, and the old restrooms will be vacated and used for storage. They have a 700 acre deed plot of the park since 1980. It showed that little restroom area but didn't show the roads so our first go-around with the county was how to get in and out of the park. They are working through that process with them. However, they have a laundry list of waivers. Rocky Ridge is in both Hellam and Springettsbury Townships and has frontage on Ridgewood Road and also Deininger Road to get in and out. So we're still at staff level and identifying those issues, but they have a laundry list of waivers they are requesting. At the next July meeting the waivers will be identified. One is a variance rather than a waiver. They are proposing gravel parking spaces over there and our ordinance specifically defines how we build parking lots.

RAO Mr. Rao stated that they are going to the Zoning Hearing Board on July 10 for variances and hard surfaces.

BISHOP Mr. Bishop stated that the township went through a lot with them the last time they wanted to do an expansion in terms of getting the main entrance off

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

of Mt. Zion. There had been significant activity, but he did not know whether that ever was completed. He imagined that may be an issue again.

GURRERI Mr. Gurreri responded that it was not completed. There are a lot of marks there, but nothing was done.

5. CONSENT AGENDA

- A. B & R Electrical Contractors, Inc. – Application for Payment No. 8 – Grit Removal Improvements Project in an amount not to exceed \$148,736.47**
- B. Johnston Construction Co. – Application for Payment No. 9 – Grit Removal Improvements Project in an amount not to exceed \$201,148.14**
- C. T. R. Stoner General Contractor – Application for Payment No. 5 – Penn Oaks Park Project in an amount not to exceed \$97,734.50**
- D. Acknowledge Receipt of May 31, 2008 Treasurer’s Report.**
- E. Acknowledge Receipt of April 15, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- F. Regular Payables as Detailed in the Payable Listing of June 26, 2008**
- G. Board of Supervisors Regular Meeting Minutes – May 22, 2008**
- H. LD-05-18 – Time Extension – Market Street Commons Add on Lots – Plan Expires 7/26/08 (New Date 10/26/08).**
- I. LD-07-11 – Tim Extension – 84 Locust Grove Road – Plan Expires 7/11/08 (New Plan Date 10/11/08)**
- J. LD-08-01 - Time Extension – Whiteford Investments (Diehl Suzuki) – Plan Expires 7/28/08 (New Plan Date 10/28/08).**
- K. LD-08-04 – Time Extension – Stonybrook Professional Center – Plan Expires 7/28/08 (New Plan Date 10/28/08).**
- L. SD-05-13 – Time Extension – Market Street Commons Add on Lots – Plan Expires 7/26/08 (New Plan Date 10/26/08).**
- M. SD-06-11 – Time Extension – 3308 Becker Tract – Plan Expires 7/25/08 (New Plan Date 10/25/08).**
- N. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 7/26/08 (New Plan Date 10/26/08).**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA A THROUGH N. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

Action was taken during the Consent Agenda.

7. BIDS PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Award Bids for 2008 Road Material and Resurfacing Project**

SCHENCK Chairman Schenck stated that Mr. Lauer had provided documentation concerning the material; however, there had been some changes. Mr. Lauer removed the adjustment of 17 manholes due to the cost of \$988 per manhole

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

by Kinsley Construction. Mr. Lauer will use Public Works personnel to do that work. The overall program, because of the court case that says these items are now subject to minimum wage and also the impact of oil prices, has caused this to go way over budget. Mr. Holman recommended, in addition to awarding the program as presented and which is really what was intended all along, was that the Board adjust the budget through reserves and determine the status next year. They should be seen as separate items, 1) to approve the program on the agenda and then 2) to adjust the budget. One cannot be done without the other.

DVORYAK Mr. Dvoryak asked whether the Board could adjust the budget at this time.

SCHENCK Chairman Schenck responded that it can be done through a formal motion.

GURRERI Mr. Gurreri asked Solicitor Rausch if it could be done after January 1st.

RAUSCH Solicitor Rausch responded that generally no, but his understanding was that it was just shifting funds around. It is really not changing the budget amount; just re-allocating.

SCHENCK Chairman Schenck indicated that Mr. Holman had been consistent with the board in taking these actions. He requested to increase the Liquid Fuels budget by \$100,000 by use of fund balance and at the same time increase the expenditure side of the road construction program by \$100,000 in the form of a motion. Mr. Holman's suggestion is to do the projects that had been programmed realizing that more money is being spent, but to see how it turns out and adjust the program next year depending on how much work is done and whether the prevailing wage issue is clarified.

BISHOP Mr. Bishop stated that he thought it was a prudent approach. Putting off maintenance ultimately costs more in the long run, and the money is available.

SCHENCK Chairman Schenck stated that there is \$1.2 million in the fund. This action will take \$100,000 out of it. He called for two motions: 1) to approve the program and 2) to amend the 2008 Liquid Fuels budget.

MR. DVORYAK MOVED TO AWARD THE BIDS FOR THE 2008 ROAD MATERIAL RESURFACING AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BOWMAN MOVED TO AUTHORIZE AMENDING THE 2008 COMMONWEALTH LIQUID FUELS FUND BUDGET INCREASE BY \$100,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into an Agreement for Professional Services with Concord Public Finance

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

- SCHENCK** Chairman Schenck indicated that a proposal was received from Concord Public Finance to do their work on the next borrowing that will be done for the sewer project. It is \$18,000 for them to do this, and the timing is right.
- GURRERI** Mr. Gurreri asked how much was in reserve.
- SCHENCK** Chairman Schenck responded that there is \$12 million plus in reserve.
- GURRERI** Mr. Gurreri asked how much would be borrowed.
- SCHENCK** Chairman Schenck indicated that \$10 million will be borrowed to do a \$32 million upgrade.
- GURRERI** Mr. Gurreri asked when the money will be borrowed.
- BISHOP** Mr. Bishop noted that no money will be borrowed at this time.
- SCHENCK** Chairman Schenck stated that this is to study what's the best and most cost effective way to finance the remaining money needed, such as whether a bond or a bank loan is needed.
- GURRERI** Mr. Gurreri commented that it will cost \$18,000 just to advise that bank rates are better than doing a bond.
- SCHENCK** Chairman Schenck asked Mr. Schober for his opinion on timing.
- SCHOBBER** Mr. Schober responded that he expected to be ready to bid and advertise in two months which goes into September. The bid process would probably take two to three months, October, November, so probably around the beginning of the year to start construction.
- SCHENCK** Chairman Schenck asked how long Mr. Schober would anticipate the project would take.
- SCHOBBER** Mr. Schober responded that it would be about a year to year and a half.
- SCHENCK** Chairman Schenck anticipated a cost of between \$24 to \$30 million.
- SCHOBBER** Mr. Schober agreed. It is the same project as envisioned from the start with no significant changes other than the additional UV's.
- SCHENCK** Chairman Schenck stated that the money is needed next year. Completion would not be anticipated for several months.

MR. BISHOP MOVED TO AUTHORIZE ENTERING INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CONCORD PUBLIC FINANCE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. Conditional Use Application – York County Transportation Authority (Rabbit Transit Proposal for Bus Shelters) – Application Filed on April 7, 2008 (Action)

This item had been acted upon earlier during the Agenda.

B. LD-08-01 – Whiteford Investments (Diehl Suzuki) – Plan Expires 7/28/08 (Action)

RAO Mr. Rao presented the project for action for Whiteford Investments (Diehl Suzuki). Information was provided in his memorandum dated June 26, 2008. The property is located at Memory Lane Extended. He provided highlights of the plan, which followed a Preliminary Land Development Plan approved on May 8, 2008, which was subsequently recorded with the county. The plan will house a new automobile dealership. His PowerPoint presentation included the plan history, project location, adjoining zoning districts, aerial photo, present site, recorded township plan, proposed plan with Public Works which will include a maintenance agreement, proposed landscape plan, overall site plan including a concrete median and concept plan. Mr. Rao indicated that Bob Sandmyer was present to answer questions.

GURRERI Mr. Gurreri asked Mr. Luciani if there was any new information about an off ramp in that area, and if so, would it be affected.

LUCIANI Mr. Luciani responded that the off ramp was initially discussed during the Concord Road project. Because of the proposed development of Donnelly, a connector road could not be attained. Mr. Brasler approached Governor Rendell to see if a study could be done to create an off ramp. Studies were done, but at this time there is no funding in place for that off ramp. He did not think it was ever a priority for the York County MPO.

SANDMYER Mr. Robert Sandmyer of Site Design Concepts stated that Mr. Rao had covered just about everything involved in the project unless the Board had further questions for him.

BISHOP Mr. Bishop asked Mr. Rao about the project being designated as a Preliminary Plan.

RAO Mr. Rao responded that it is so designated because there is public works to be deeded to the township.

BISHOP Mr. Bishop noted that it appeared there was no discussion of bonding of any public improvements. He asked whether that was because it is a Preliminary Plan.

RAO Mr. Rao responded that would come at a later date as far as a condition. It was mentioned in the tracking sheet.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

- BISHOP** Mr. Bishop commented that he was reviewing the recommended motion and it did not appear to have any mention of it.
- RAO** Mr. Rao indicated that until approval, the amount of the bond is not known.
- BISHOP** Mr. Bishop stated that would happen in the Final Plan.
- RAO** Mr. Rao responded that he was correct.
- BISHOP** Mr. Bishop assumed that in Mr. Rao's memo stating the recommended motion; it indicates "Final Plan" and that should be changed.
- SCHENCK** Chairman Schenck noted that there are a number of mentions of "Final Plan". He asked whether that would follow throughout the information.
- RAO** Mr. Rao responded that it was listed once or twice in the motion under sheet 3, but the reference section talks about the Final Plans and procedures.
- SCHENCK** Chairman Schenck stated for clarification that the Board is asked to approve a Preliminary Plan with waivers included in the Final Plan.
- RAO** Mr. Rao responded that they will bond the concrete addition, but it needs the Board's approval at this time.
- LUCIANI** Mr. Luciani stated for the record that the Mylar was labeled Preliminary Land Development Plan.
- SCHENCK** Chairman Schenck noted that this will include waivers that are referenced in the Final Plan.
- LUCIANI** Mr. Luciani responded that he was correct. They will provide the Final Plan and at that point they will bond. The direction was any public improvements sidewalks, widening would be a two-step process, and the Board will see in a Final Plan.
- SCHENCK** Chairman Schenck noted that he was asking more procedurally. The suggested motion was that the Board waive the plan scale requirement. He asked whether they would see that in the Final Plan.
- LUCIANI** Mr. Luciani responded that it is in both. If the Board grants it in a Preliminary Plan, the next time the plan comes forward it will show that the Board granted the waiver for plan scale.
- SCHENCK** Chairman Schenck commented that in the Final Plan, they would not see the need. He questioned whether it might be missed. If everything is done correctly, in the Final Plan the Board should not see any waivers.
- LUCIANI** Mr. Luciani responded that he was correct.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

RAUSCH Solicitor Rausch added that there could not be any in the Final Plan because they would have had to be dealt with on the Preliminary.

SCHENCK Chairman Schenck asked what will document to the developer that the township wanted to see the maintenance agreement and public improvements.

RAUSCH Solicitor Rausch responded that it will be a condition.

BISHOP Mr. Bishop added that the maintenance agreement will identify it.

RAO Mr. Rao stated that it will be identified in condition #4

BISHOP Mr. Bishop asked whether there had been any discussion of what is in there.

RAO Mr. Rao responded that there had been discussion with Mr. Luciani and Mr. Lauer's office. Information was submitted to Nicole Ehrhart for approval, and was returned to the township for signatures.

LUCIANI Mr. Luciani noted that there is a very steep slope with crown vetch ground cover. Because it is a noxious weed it cannot be replanted, but some kind of ground cover will need to be maintained. The developer volunteered to maintain those embankments.

RAO Mr. Rao added that it would be maintained only during the duration of ownership of Diehl.

SCHENCK Chairman Schenck noted it would be a condition of the agreement.

SANDMYER Mr. Sandmyer stated that the developer, Diehl Motor Co., wanted to maintain this even without an agreement. It will look exactly like the Toyota Dealership a half block away.

RAUSCH Solicitor Rausch suggested a motion to grant waivers that are listed and the plan with conditions.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT 08-01 TO APPROVE THE WAIVERS FOR THE PLAN AS INDICATED AS ITEMS 1, 2, AND 3 OF THE MEMORANDUM DATED JUNE 26, 2008:

- **WAIVER OF SALDO (§289-13.A)**
- **WAIVER OF SALDO (§289-13.A.8)**
- **WAIVER OF SALDO (§289-35)**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT 08-01 TO APPROVE THE PRELIMINARY PLAN WITH THE SIX CONDITIONS LISTED ON THE MEMORANDUM DATED JUNE 26, 2008:

- **SALDO (§289-12.A.5.C)**
- **SALDO (§289-12.C)**
- **SALDO (§289-12.K)**
- **SALDO (§289-12.K)**
- **SALDO (§289-13.A.)**
- **SALDO (§289-76)**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

YCEDC, EMT, York Counts

GURRERI Mr. Gurreri reported that York County Economic Development will celebrate its 50th Anniversary. Mr. Gurreri noted a newspaper item regarding EMT Dwayne Rosengrant, who was recognized for serving 25 years as an Emergency Medical Technician on May 22, 2008. He added that Mr. Rosengrant was another outstanding employee of Springettsbury Township. Mr. Gurreri asked about the status of the Board's consensus regarding York Counts. They want to meet with the Board. He asked if there would be anything to share with York Counts.

SCHENCK Chairman Schenck stated that there had been some dialogue from Mr. Holman with regard to York Counts or Metro York. The Board gave direction to Mr. Holman to determine a) what they want to talk about, and b) how long do they need to meet in terms of time. In a response they indicated they want 10 minutes and maybe 5 minutes for questions of the Board. They want to meet with Mr. Holman early next week and go through their presentation. The thought is if all that happens the way it is supposed to happen they could be put on the July Agenda. It's a public meeting as opposed to a separate meeting.

GURRERI Mr. Gurreri commented that it would concern a regional police force.

SCHENCK Chairman Schenck indicated that they want to do a study, but they need the Board to approve the study. They have a survey and some background information of what they will be asking. Information is included in Mr. Holman's report on that subject.

Market Street Project Appraisals

GURRERI Mr. Gurreri thought the Board should listen to what they have to say. Mr. Gurreri mentioned an item about the Market Street project appraisals. He asked whether there was any update.

LUCIANI Mr. Luciani had not heard anything about the appraisals.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

RAUSCH Solicitor Rausch indicated he had not heard anything either.

BISHOP **Comp Plan Task Force/Town Center Concept**
Mr. Bishop wanted to make sure that Board was aware that the follow up to the Comprehensive Plan by the Zoning Hearing Board and the Task Force pursuant to the Town Center Concept and community character is actively meeting. The consultant is working and the Task Force met twice, conducted a public hearing in conjunction with the Springettsbury Business Association. There is definitely activity there and they will make some recommendations. There are some interesting ideas coming

GURRERI Mr. Gurreri was glad to hear that report. He indicated that several people said they were invited to the meeting; however, Mr. Gurreri didn't know they were having a meeting.

BISHOP Mr. Bishop stated that it was just the Task Force that had the meeting. There will be some public meetings in September and Board members should receive notifications.

BOWMAN **Speeding – Eastern Boulevard to Keesey Street**
Mr. Bowman reported he had received a comment by a resident off Market Street and Eastern Boulevard where cars are using the new short cut and speeding. He wondered whether there had been any accidents in that area. Motorists are turning right onto Eastern Boulevard and heading up to Keesey Street where they have no stop sign.

ESHBACH Chief Eshbach responded that he did not think there had been accidents, but there was no doubt in his mind that it is occurring. The resident had a mirror broken off her car.

SCHENCK Chairman Schenck noted that the resident specifically asked that her name and address be mentioned for the record. Her name is Mary Bancroft of 22 South Keesey Street.

SCHENCK **Library**
Chairman Schenck reported he had received a verbal request from Bill Schnell of the library who wanted to have a meeting with the board members with him at the library. He did not indicate what subject he wanted to discuss.

RAUSCH Solicitor Rausch reminded the Board that it would be a public meeting if the full board was present.

SCHENCK Chairman Schenck indicated he would call him.

SCHENCK **York Valley Inn**
Chairman Schenck commented that he continued to see the blue van at York Valley Inn.

RAO Mr. Rao responded that he had discussed it with the owner, who indicated it would be gone by Saturday. Mr. Rao will follow up.

Kevin's Restaurant

SCHENCK Chairman Schenck reported that he had received a nice letter from Sigma Real Estate. However, it mentioned the renovation to the former Kevin's Restaurant and approval for a drive-through window prior to the new regulations. Chairman Schenck had advised him that the township never approved a drive-up window.

RAO Mr. Rao mentioned that they had submitted a sketch plan before they remodeled the building, but they withdrew that sketch plan.

SCHENCK Chairman Schenck commented that they remodeled the building but didn't do a preliminary plan. The sketch plan did not indicate approval of a drive-in window. He stated that if nothing is indicated that a drive-in window was not approved, it would be like indicating it was approved. He stated for the record that this Board did not approve a drive-in window. Neither does this Board approve a sketch plan, and having withdrawn a sketch plan does not indicate approval of anything on a sketch plan.

BISHOP Mr. Bishop added that some follow up is required. There is also some reference in that letter that the property was re-zoned but the owner was never informed of it. It would be nice to know for certain that is not the case and have some documentation as to how he was informed. Mr. Bishop suggested that the whole letter should have a response and include the fact that this Board did not approve a drive-through window.

RAO Mr. Rao stated that they had gone ahead and scheduled an appearance before the Zoning Hearing Board so that the re-zoning of their property can be addressed. They submitted a fee and required application.

BISHOP Mr. Bishop noted it did not make sense that the zoning was changed and he wasn't aware of it.

Building Permits

GURRERI Mr. Gurreri commented that people had asked him about permits and why they take five weeks.

RAO Mr. Rao responded that the duration of timing is because there's usually questions that are not provided in the permit or by contract of the developer. We have to tell them to provide this or elaborate on that and provide full details. That time that their contractor or developer takes holds up the permit. It cannot be approved unless full information is provided. The MPC gives us 30 days for a Commercial permit and 14 for Residential. The clock stops when there are questions. Mr. Rao indicated that he instructed his staff not to ask for trivial things but more substantial comments.

BOWMAN Mr. Bowman noted that anyone who would have that complaint must wait about 14 days.

RAO Mr. Rao responded that he could provide a time line as to when he received specific information, when it was reviewed, and when the permit is issued. There are some given priority to review, and in that case he authorizes the staff to look at it first, but there has to be a good reason.

BISHOP Mr. Bishop commented that the kinds of questions they ask are within whose discretion.

RAO Mr. Rao responded they are within the IBC.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

11. MANAGER'S REPORT

SCHENCK Chairman Schenck reported that Mr. Holman had provided his written report. Mr. Holman was unable to be present at the meeting.

RAO Mr. Rao reported that the Doutrick property was in the process of being cleaned up. They have 30 days to July 16th to complete the clean up. If the property is not cleaned up to the Township's satisfaction by that date, charges will be filed.

SCHENCK Chairman Schenck asked about the heavy equipment that is there.

RAO Mr. Rao responded that all the equipment has to go by July 16th.

RAUSCH Solicitor Rausch added that if the clean up is not completed, a per diem fee will be charged.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-06 – Authorization to Advertise Ordinance to Amend Chapter 312 “Vehicles and Traffic” Section 41 of the Springettsbury Township Code.

SCHENCK Chairman Schenck stated that the ordinance needed to be advertised.

BOWMAN Mr. Bowman asked what was different from the old ordinance.

RAUSCH Solicitor Rausch reported that Chief Eshbach discovered this one. When the ordinance was approved, it referenced the old zoning districts. That being changed, now the ordinance needs to conform. The only question that arose

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

was whether to apply it to Rural Residential and not allow people to park campers and trailers, etc. on public streets.

SCHENCK

Chairman Schenck noted that Druck Valley has some of the more narrow streets in the township. Rural Residential implies farms but in reality it is not. By banning residential areas, Rural Residential would be included. He added that this was advertised as a minor change.

RAUSCH

Solicitor Rausch stated that if Rural Residential was included that would be satisfactory.

SCHENCK

Chairman Schenck commented that it may have been something that grew over time. Rural Residential may not have existed at the time it was drafted. He asked Charles Stuhre whether he would assume that tractor-trailers are not permitted to park on a public street in his Rural Residential zone.

STUHRE

Mr. Stuhre responded that there are some tractor-trailers parking on properties in the Rural Residential area, which in a real residential area normally is upscale housing. No one wants to live across the street from one who is parking a tractor-trailer in their yard. He added that currently there was one of them on Trout Run Road.

SCHENCK

Chairman Schenck asked if he meant parked on a public street.

STUHRE

Mr. Stuhre responded that, as far as public street, if a tractor-trailer was parked on Lower Glades Road, a vehicle could not get through. If one was parked on Trout Run Road a car would have to go off in the grass to get around it. Trout Run Road is only 18 feet wide.

MR. BISHOP MOVED FOR AUTHORIZATION TO ADVERTISE ORDINANCE 08-06, TO AMEND CHAPTER 312 "VEHICLES AND TRAFFIC" SECTION 41 OF THE SPRINGETTSBURY TOWNSHIP CODE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-43 – Application for DCED Shared Services Grant (YAUFR)

MR. GURRERI MOVED TO ADOPT RESOLUTION 08-43; APPLICATION FOR DCED SHARED SERVICES GRANT (YAUFR). MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business for discussion.

14. NEW BUSINESS

A. House Bill No. 2499 (Massage Therapy Law): Recommendation for Support.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 26, 2008
APPROVED**

B. House Bill No. 1515 (Prevailing Wage Act Amendment): Recommendation for Support.

Consensus of the Board was to support House Bills 2499 and 1515 on behalf of Springettsbury Township.

C. 2007 Audit Reports

Action was taken earlier during the Agenda.

15. ADJOURNMENT

SCHENCK Chairman Schenck reminded the Board of the Executive Session scheduled following adjournment. He adjourned the meeting at 8:55 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – BUS SHELTERS**

**MAY 22, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Conditional Use Hearing on Thursday, May 22, 2008 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
Nick Gurreri

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Nichole Ehrhart, Acting Solicitor
John Luciani, Civil Engineer
Harish Rao, Community Development Director
Jean Abreght, Stenographer

- 1. CALL TO ORDER:**
- 2. Conditional Use Application – York County Transportation Authority**

SCHENCK Chairman Schenck called the meeting to order at 6:30 p.m. He stated that the purpose of the meeting was to hold a Conditional Use Hearing to discuss an application from York County Transportation Authority for bus shelters in the township. He stated that the process of a Conditional Use Hearing was somewhat new to the Board and not a procedure that comes forward very often. He indicated that the Solicitor would coach the Board, with the first order of business being to formally swear in anyone intending to testify. He stated that a stenographer's log will be kept. He asked everyone to stand to be sworn in.

FILIUS Ms. Joyce Filius, Filius & McLucas, swore in the individuals who planned to testify.

SCHENCK Chairman Schenck requested that individuals who speak to come forward and use the microphone so that everyone can hear and a good record can be made.

EHRHART Solicitor Ehrhart stated for the record that the Hearing had been properly advertised and the properties had been posted.

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – BUS SHELTERS**

**MAY 22, 2008
APPROVED**

- CALKINS** Attorney Charles Calkins asked whether the Board would permit questions and answers by him to his client to elicit testimony or would the Board prefer that he simply state the objections, if any, from his client on the record.
- SCHENCK** Chairman Schenck responded that he could see no reason why Attorney Calkins could not ask questions for testimony.
- EHRHART** Solicitor Ehrhart responded that questions and answers would be appropriate.
- BISHOP** Mr. Bishop commented that it would be the easiest way for the Board to understand.
- SCHENCK** Chairman Schenck asked the applicant to present the case.
- FARR** Richard Farr, Executive Director of Rabbit Transit, York County Transportation Authority, presented a PowerPoint overview of the shelter program. A summary of the presentation follows:
- Sample picture of the shelter;
 - Master Plan – 81% increase in ridership; 3 to 4% increase year after year. Demand continues to grow for service. Because of gas prices they are receiving additional calls, some from Springettsbury Township residents, requesting new service and routes. Plan identified areas where future growth is anticipated; map of locations provided.
 - Why The Program – Rabbit Transit does not purchase shelter but is responsible for it. Shelters are purchased through Lamar advertising agency, which maintains it at no cost to taxpayer.
 - Rabbit Transit is a municipal authority funded 70% through tax dollars; very important to return that back to the community.
 - Provides needed amenities to township and county residents.
 - Rabbit Transit Board of Directors passed an advertising resolution in 2003 which defines the kinds of advertising permitted on the shelters, vehicles and facilities. The Board has strictly withheld this resolution. They have had no issues with Lamar, which presents ads for approval.
- FELTENBERGER** Tom Feltenberger, representative of Lamar Advertising was present to answer any of the Board questions.
- SCHENCK** Chairman Schenck stated that the Public Hearing was being held in order to be certain that the Conditional Use meets the requirements set forth in the Ordinances. He asked Mr. Feltenberger if he was familiar with them and whether he thought they were in general compliance.

- FELTENBERGER** Mr. Feltenberger responded that he was absolutely familiar with the requirements.
- FARR** Mr. Farr added that, although he did not have the list in front of him, he knew the construction specifications of the shelter met all the requirements. The placement meets all the requirements, and they had met all the state requirements to install shelters along the state rights-of-way. It was his understanding that they are in full compliance with the ordinances.
- FELTENBERGER** Mr. Feltenberger added that they held meetings with Harish Rao and the Zoning Officer, and following those meetings to the best of their knowledge, they are in compliance with every requirement.
- SCHENCK** Chairman Schenck indicated that if there were further questions, they would recall them for additional testimony. He asked whether there was anyone else who would like to provide testimony.
- CALKINS** Attorney Charles Calkins represented David and Catherine Bene, who own the York Eye Surgical Center located on the west side of Memory Lane just south of Heritage Valley Credit Union. He stated that the applicant had listed a site at the Heritage Valley Credit Union for one of the shelters, although that was not an application pending before the Board this date. However, it is on their list of proposed sites. He asked whether the site will be located at the north west sector of the Heritage Valley Credit Union driveway.
- FARR** Mr. Farr responded that it was located where the township sign is placed, which is near the current bus stop location.
- CALKINS** Attorney Calkins questioned whether the proposed location on the agenda of shelters was correct.
- FARR** Mr. Farr responded that the location for #6 was defined incorrectly as north west, but it should be north east.
- CALKINS** Attorney Calkins asked about the size of the bus shelters.
- FARR** Mr. Farr responded that they cannot exceed 5.5 feet by 7.5 feet.
- CALKINS** Attorney Calkins asked whether their application stated their size.
- FARR** Mr. Farr referred to the application, which stated the same: 5.5 feet by 7.5 feet.

- CALKINS** Attorney Calkins asked whether they had the consent of property owners, Catherine Bene and Dr. Bene, to place a shelter on their property.
- FARR** Mr. Farr responded that they had not sought the consent of anyone at this point. They had identified locations that are in the right-of-way and that's where they planned to place the shelters.
- CALKINS** Attorney Calkins noted that his answer was no, they had not sought the consent of Dr. and Catherine Bene.
- FARR** Mr. Farr responded that he was correct.
- CALKINS** Attorney Calkins asked if he understood that as a requirement of the ordinance.
- FARR** Mr. Farr responded that he understood. However, he added that at this time they did not plan to place a shelter at that location.
- CALKINS** Attorney Calkins asked him if there was an intention to do so at some point in time.
- FARR** Mr. Farr responded that it was probable that a shelter could be placed at that location at some point in time.
- CALKINS** Attorney Calkins asked whether it was their intention to have this Board approve this evening the location of a shelter at the property owned by the Bene's.
- FARR** Mr. Farr responded that they had selected that location because Dr. Bene is a medical provider. Transportation is provided to locations where the need would be greater. He added that there are a lot of development office complexes and medical facilities in that location, and a shelter in those areas would better serve the community. Those areas are probably the most critical to the residents of this township.
- CALKINS** Attorney Calkins asked whether they had determined if there was enough space on the right-of-way portion of the sidewalk and grass to place a shelter on the Bene property.
- FARR** Mr. Farr responded that they would be measuring that when they come back in for the next round of shelters. He commented that this was not a process he was very familiar with as a transit provider. They are trying to make sure they have good service for

the residents of the community and meeting the needs of individuals who do not have transportation.

CALKINS Attorney Calkins indicated that, at this time, there is no application pending for a site at the Bene property. He did not think it was fair to the Benes for the Board to consider this date a shelter site at their location when it had not been applied for, and the actual location being applied for is on the property of an adjoining landowner. He requested that the Board dismiss consideration of the request by the applicant to place a shelter or consider placing a shelter on the Bene property at this time.

SCHENCK Chairman Schenck asked Mr. Farr to identify on the map which was the number of that specific shelter.

FARR Mr. Farr responded it was #6.

BISHOP Mr. Bishop commented that he understood the general tenure of Attorney Calkins objection, which at this point is not really knowing exactly what they are requesting.

CALKINS Attorney Calkins responded that he thought he knew, and he believed he had the objections to address the issue of the questions. He did not believe there was enough area within the right-of-way to construct a shelter at the bus stop as it exists on Memory Lane at this time.

BISHOP Mr. Bishop noted that it sounded like that was the substance other than safety.

CALKINS Attorney Calkins indicated that there were other factors such as safety, site view pulling out of the parking lot, retention ponds, fire hydrants, etc.

SCHENCK Chairman Schenck noted that one of the conditions stated that the applicant shall present proof of the property owner's consent to the bus shelter as part of the township requirements. He asked what would happen without that consent.

CALKINS Attorney Calkins responded that the application fails. As a Conditional Use it must meet all requirements of the ordinance.

SCHENCK Chairman Schenck asked whether it would be just for that location or for the overall program.

CALKINS Attorney Calkins responded it would be for that specific location.

- EHRHART** Solicitor Ehrhart stated that each one of the requirements must be met, A through J for each individual shelter, each individual location. It does not have to be a mass consent of all the locations. She drew the Board’s attention to the fact that specific ones can be individually approved. On the application it does list a certain number of shelters.
- BISHOP** Mr. Bishop indicated he was not sure that the Board had copies of the actual application and/or any of the exhibits.
- RAO** Mr. Rao responded that the information was in the packet last week.
- SCHENCK** Chairman Schenck indicated that what he was seeing was the application was for 1, 2, 7, 9, 10 & 11 on the map. He asked if he was correct.
- FARR** Mr. Farr responded that he was correct. He added for clarification purposes, that those are the ones that they had gone to the property owners and addressed those particular shelters. The action they had taken was to present to the township what the Transit Authority believed would meet the overall needs of the community. They had only moved forward with ones identified in the application because they are the ones most needed at this time.
- HOLMAN** Mr. Holman stated that the Conditional Use that they were requesting was just for shelters 1, 2, 7, 9, 10 & 11 at this point, which does not include shelter 6.
- SCHENCK** Chairman Schenck asked whether the application was considered evidence.
- EHRHART** Solicitor Ehrhart responded that he was correct.
- HOLMAN** Mr. Holman asked Mr. Farr to point out 1, 2, 7, 9, 10 & 11 on the map provided.
- FARR** Mr. Farr identified 1, 2, 7, 9, 10 & 11 on the map.
- FELTENBERGER** Mr. Feltenberger indicated that the sites they are planning at the present time include the County Prison, the Drug Rehab, Maple Donuts, and on Rt. 462 Home Depot and M & T Bank (11, 10, 9, 2 & 1).

- HOLMAN** Mr. Holman asked whether they have the property owners' approval.
- FELTENBERGER** Mr. Feltenberger responded that they have permission from three property owners, and the other two will be sitting in the right-of-way, for which they have an agreement with the state. That would be the Home Depot and M & T Bank in PennDOT's right-of-way. He stated that Lamar has a form that the property owner must sign. The Board should have received a copy of that for the five that were presented. That indemnifies individuals with liability insurance, and it also allows them to request Lamar to remove the shelter if they are not satisfied with the shelter or the bus route changes, etc. Lamar will remove the shelter and restore the property to its original condition.
- CALKINS** Attorney Calkins mentioned that his request was still on record.
- BISHOP** Mr. Bishop asked whether it was his opinion, if the Board granted what was requested, that his client will be harmed for the certain numbers of bus stops that do not include their property.
- CALKINS** Attorney Calkins responded that if his client's property was excluded, they have no objection.
- BISHOP** Mr. Bishop noted that he believed that was what had been heard as the original request.
- HOLMAN** Mr. Holman reiterated that it would be for shelters 1, 2, 7, 9, 10 & 11. The map shows where future shelters may go.
- BISHOP** Mr. Bishop stated that they would not be approved at this time.
- HOLMAN** Mr. Holman responded that they could not be approved without the owner's signature of approval to install a shelter.
- GURRERI** Mr. Gurreri added that they would have to meet all the requirements.
- SCHENCK** Chairman Schenck asked for clarification that, if the Board approved the Conditional Use that references the map for locations 1, 2, 7, 9, 10 & 11 only, whether there would have to be another application for additional properties.
- EHRHART** Solicitor Ehrhart responded that he was correct.

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – BUS SHELTERS**

**MAY 22, 2008
APPROVED**

- SCHENCK** Chairman Schenck stated that the map had been a consistent document along with the application and specifies many more locations. He asked whether there would be another Conditional Use Hearing.
- EHRHART** Solicitor Ehrhart responded that he was correct. The Board was only considering the shelters that are listed on the application.
- SCHENCK** Chairman Schenck asked for clarification that it would not be that they can just go out and get the owner's permission and other things and get approval.
- EHRHART** Solicitor Ehrhart responded that they would have to come back with another Conditional Use Application for the additional shelters.
- CALKINS** Attorney Calkins stated that the applicant is not seeking a preliminary approval for the sites that do not have application completed.
- SCHENCK** Chairman Schenck stated that had been his question, and the answer that he got was no.
- EHRHART** Solicitor Rausch stated that it was not the way the application is structured.
- CALKINS** Attorney Calkins noted that the way it was with exhibits attached to it gave rise to whether or not the applicant was actually seeking preliminary approval for the sites that do not have applications for and specific approval for the sites therein. They did not want to not show up this evening, have everything approved and then find out that three years from now we're getting a shelter. So for the purposes of this meeting, this Board will only consider those sites that have been applied for, which does not include the site located at the north west corner of Heritage Valley's drive way.
- SCHENCK** Chairman Schenck responded that he was correct.
- CALKINS** Attorney Calkins stated that he thought his clients could leave when the Hearing was over.
- BISHOP** Mr. Bishop noted that to the point specifically, there is only one bus shelter at the Giant Store in Springettsbury Township. He imagined that by granting this conditional use, there might be a sort of flood gate opening up. He asked whether there would be a tacit approval once the shelters are done, that there will be more of

them as they become more popular and will there be some sort of pressure on different landowners to say yes, it is acceptable.

EHRHART

Solicitor Ehrhart responded that the Zoning Ordinance provides that bus shelters may be allowed if the elements are met so each bus shelter would have to come and meet A through J of the ordinance. For example, one of them is that the applicant must present proof of property owner's consent, so each shelter would have to meet every one of the requirements. Aside from the specific requirements of bus shelters, further in the Zoning Ordinance, Section 194, also provides the general standards for Conditional Use that must also be met. Those include compatibility with the Comprehensive Plan, suitability, serviceability, accessibility, which all must be met as well.

BISHOP

Mr. Bishop noted that the suitability issue, just from a historical perspective, had always been the thing that the Board had objected to, primarily the advertising component which was the reason there are none in Springettsbury Township and they are everywhere else in the county.

FARR

Mr. Farr stated that a shelter costs over \$10,000 and they just don't put them in anywhere as they are very costly. They take it very seriously as to where the needs will be in the future.

HOLMAN

Mr. Holman noted that one of the conditions of the ordinance was put together in the Comprehensive Plan, which states that the sign shall cover no more than 25% of the structure and may not be in the rear wall. One side of the structure shall be transparent at all times. There is a very severe limitation on the advertisement that was placed in the ordinance.

SCHENCK

Chairman Schenck asked whether there was any mechanism to have them removed if routes change or needs change in the future.

FARR

Mr. Farr responded that they would have them removed with no problems. It would have to be a disaster of the Transit Authority. They take stewardship in the community seriously and would make sure that would be removed.

BISHOP

Mr. Bishop indicated that one of the things mentioned was that there was a resolution about the kind of advertising that was acceptable. He asked whether that was part of the application and whether that was something that had been submitted to the Board.

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – BUS SHELTERS**

**MAY 22, 2008
APPROVED**

- LUCIANI** Mr. Luciani stated that it was Resolution 0312 and it was on the application.
- FELTENBERGER** Mr. Feltenberger added that Lamar is an international company, and wanted to be good stewards of the community also. They partner with a lot of people in the community. Their shelter advertising is their secondary business and they are not out to agitate anybody because they rely upon them buying the big boards. They are not trying to upset the community or the landowner or anybody else. Lamar is tasteful in what it advertises. The individuals that advertise on the shelters generally are McDonalds, small businessmen, maybe an insurance company, car dealers; generally the big advertisers don't even want to touch the bus shelters. They stay away from alcohol and tobacco products.
- EHRHART** Solicitor Ehrhart stated that, aside from the applicant meeting the conditions as set forth in the ordinance, the Board also has the authority, if it deems necessary, to establish reasonable conditions with the approval.
- SCHENCK** Chairman Schenck noted that the Board had received a list of potential conditions from the engineering firm. He asked whether those potential conditions should be addressed at the time of potential approval or during this hearing.
- EHRHART** Solicitor Ehrhart responded that the conditions would be addressed during this hearing.
- SCHENCK** Chairman Schenck asked whether the applicants were aware of them.
- FELTENBERGER** Mr. Feltenberger responded that he was aware of them.
- FARR** Mr. Farr responded that he had only seen them briefly as he arrived.
- LUCIANI** Mr. Luciani stated that of those 11 conditions, which had been previously discussed with Mr. Holman, Mr. Rao and staff, only five are applicable and covered by the conditions of the ordinance:
- Free-standing structures should be placed on a non-slip concrete pad built toward the roadway for drainage at 2%.
 - Curb cut ramps shall be provided for wheelchair access as necessary.
 - Shelters shall have an opening from the grade to the bottom of the wall panel at least six inches. The intent there is that the

panel would not go right to the ground surface where it would trap debris.

- Benches shall be installed but theirs are not six feet; they must be four feet long made with a durable material.
- Bike racks would be placed at the rear and should allow a minimum of four feet on the sides and a minimum of maneuvering space allowance of 9-1/2 feet.

FARR Mr. Farr noted that the benches are wide enough for two people.

BISHOP Mr. Bishop asked why he eliminated #2.

LUCIANI Mr. Luciani responded that it was covered in the ordinance.

AMES Tim Ames, Heritage Valley Federal Credit Union, noted for the record that he agreed with Attorney Calkins and his clients with some concerns that he had for that same site as well.

SCHENCK Chairman Schenck thanked him and asked if there were any further questions.

GURRERI Mr. Gurreri commented that he thought bus shelters are needed in the community. The township does not have them and does need them, especially with the high gas prices. He added that soon he may be riding the bus.

EHRHART Solicitor Ehrhart stated that the exhibits which were submitted should be identified.

SCHENCK Chairman Schenck asked her to identify them.

EHRHART Solicitor Ehrhart responded that the applicant's application and attached exhibits could be referred to as Exhibit A and the letter from Mr. Luciani to Mr. Holman dated May 22, 2008 listing the conditions would be referred to as Exhibit B.

SCHENCK Chairman Schenck asked whether there were any further exhibits or anything else for discussion.

EHRHART Solicitor Ehrhart responded that there was nothing further unless there was any other testimony.

SCHENCK Chairman Schenck asked for further testimony. Hearing none, he indicated that the subject was on the Agenda for consideration.

**SPRINGETTSBURY TOWNSHIP
CONDITIONAL USE HEARING – BUS SHELTERS**

**MAY 22, 2008
APPROVED**

EHRHART Solicitor Ehrhart stated she had not understood. She indicated that the Board does have to deliberate and make a decision on the record.

SCHENCK Chairman Schenck asked whether it had to be made during the Conditional Hearing.

EHRHART Solicitor Ehrhart responded that he was correct, yes.

SCHENCK Chairman Schenck indicated he thought it was to be acted upon during the Regular Meeting.

EHRHART Solicitor Ehrhart responded that the decision could be made during the Regular Meeting, but that she would ask the stenographer remain until the decision is made.

SCHENCK Chairman Schenck indicated he would adjust the Agenda.

EHRHART Solicitor Ehrhart responded in agreement.

3. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the Conditional Use Hearing at 7:15 p.m.

Respectfully submitted,

John Holman
Secretary
ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 22, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 22, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Nick Gurreri
Mike Bowman

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Nicole Ehrhart, Acting Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Harish Rao, Community Development Director
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
David Wendel, Director, Parks and Recreation
Dave Eshbach, Chief, Police Department
Bob McCoy, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7:15 p.m. He welcomed the attendees and thanked everyone for coming. He asked Mr. Gurreri to lead the Opening Ceremony.

A. Opening Ceremony

GURRERI Mr. Gurreri welcomed the attendees. He wished everyone a great Memorial Day. He asked that the men and women who had given their lives for our freedom, and all those serving in the armed forces be remembered in prayer. He led the Pledge of Allegiance.

8. A. Conditional Use Application – York County Transportation Authority (Rabbit Transit Proposal for Bus Shelters) – Application Filed on April 7, 2008 (Action).

SCHENCK Chairman Schenck announced that he would deviate slightly from the Agenda and act on Item 8A, an Application for a Conditional Use for Bus Shelters. A Conditional Use hearing had been held earlier and testimony was taken at that time. He stated that if anyone wanted to speak on that particular topic, he would recognize them. Otherwise he would move

through the Agenda and recognize general comments after that action. Hearing no further comments he asked the Board to act upon item 8A on the Agenda, the Conditional Use Application from York County Transportation Authority, Rabbit Transit. He asked if there was any further discussion at this time.

BISHOP Mr. Bishop commented that it might make sense for the Solicitor to guide the Board as to what to do procedurally.

EHRHART Solicitor Ehrhart responded that the applicant has the burden to present the evidence and Section 325-166 of the zoning ordinance. That provides that bus shelters may be allowed as a Conditional Use if the requirements A through J are met. Solicitor Ehrhart read each item A through J. She added that there are general conditions, which she stated, and general requirements, also stated. If the Board determined that all the elements and general requirements were met, the Conditional Use may be granted. However, if the Board determined that something had not been met, the Conditional Use may be denied.

HOLMAN Mr. Holman indicated that, as he understood it, the Board may also have the right to add additional reasonable conditions.

EHRHART Solicitor Ehrhart responded that he was correct.

SCHENCK Chairman Schenck commented that many of the conditions are not able to be known until, in fact, the shelter is erected. He did not think that he could take evidence that a shelter is constructed when it was not constructed.

EHRHART Solicitor Ehrhart responded that the application submitted and testimony heard at the hearing would have advised how the shelters would be constructed.

BISHOP Mr. Bishop commented that the first thing Solicitor Ehrhart stated was that the Master Plan is to be updated with the locations in the township where they believe shelters would be needed. However, in their application, six sites are specifically addressed by number.

EHRHART Solicitor Ehrhart responded that consideration is being given to the six listed in their application. Their map needed to show existing shelters in the township and the six proposed shelters.

BISHOP Mr. Bishop asked whether it does.

EHRHART Solicitor Ehrhart responded that it would be the Board's determination based on the evidence.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 22, 2008
APPROVED**

- BISHOP** Mr. Bishop asked the professionals for their opinion.
- RAO** Mr. Rao responded that, in his opinion, it did not.
- SCHENCK** Chairman Schenck stated that his concern as an elected official was ruling on items outside of his boundaries of the state code. He indicated he was 100% in favor of what the Transit Authority wanted to do; he did not believe that the requirements had been met by the letter of the law. He asked for counsel as far as what to do with that because, even though he believed it to be true, there was no evidence to support some of the evidence requested.
- BISHOP** Mr. Bishop stated that he was in the same position. He agreed that it sounded like a fairly reasonable proposal that may require the Board's attention but his understanding was that the presentation and the information that the Board had was not particularly complete and did not really provide the information needed for granting the Conditional Use.
- SCHENCK** Chairman Schenck indicated the only evidence he had was the application.
- EHRHART** Solicitor Ehrhart responded that the evidence included the testimony presented.
- SCHENCK** Chairman Schenck stated that the testimony from the applicant was that shelters are nice and they have a plan, but it didn't really address the bullet item requirements. It did not document the size or that the locations are within 1000 feet. It did not document that they would be constructed in accordance with township specifications, and the testimony did not present much more.
- HOLMAN** Mr. Holman asked whether the Board could continue the deliberation and look for that to be presented at the next meeting. That would provide for a line by line item review.
- EHRHART** Solicitor Ehrhart responded that the deliberation could be continued with the consent of the applicant.
- BISHOP** Mr. Bishop asked whether that would be preferred over denial and re-applying.
- EHRHART** Solicitor Ehrhart stated that by continuing the deliberation, it would keep the record open. The applicant would be able to build on what they had already presented.
- SCHENCK** Chairman Schenck asked whether that would require another hearing.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 22, 2008
APPROVED**

- EHRHART** Solicitor Ehrhart responded that it would not be another hearing. The same hearing would be continued.
- BISHOP** Mr. Bishop commented that it would just be a different time.
- SCHENCK** Chairman Schenck noted that the reason he was concerned was that he had been through procedures where it was not the applicant that was the issue. It related to others who challenged it and stated that the procedure was flawed. The questions weren't answered and specific evidence was not provided, and therefore, the whole issue was null and void. It's not what the Transit Authority wants to do; it's the challenges. Chairman Schenck stated that he thought this was fundamentally flawed, and that was where he was having difficulty.
- EHRHART** Solicitor Ehrhart stated that the option would be to continue until the next meeting to allow the applicant additional time to address the concerns of the Board.
- SCHENCK** Chairman Schenck asked whether another hearing would have to be advertised, or whether a hearing could be held within a regular meeting.
- EHRHART** Solicitor Ehrhart stated she would have to check the advertising requirements. She believed if it is continued there may not be a need to advertise again; however, it will be necessary to have a public hearing prior to the meeting.
- BISHOP** Mr. Bishop reiterated that it would require the agreement of the applicant.
- SCHENCK** Chairman Schenck indicated that theoretically he had adjourned the hearing.
- EHRHART** Solicitor Ehrhart responded that theoretically he had. However, her suggestion would be to bring the applicant back to address some of the concerns. The Public Hearing meeting was adjourned, but it would be appropriate to continue it if the Board was inclined.
- SCHENCK** Chairman Schenck asked Mr. Farr how he felt about continuing the hearing.
- FARR** Mr. Farr was in agreement. He was not sure they could answer his questions, but he encouraged them to go ahead and address them and they would do their best to answer them.

MR. BISHOP MOVED, WITH THE APPLICANT'S APPROVAL WHICH HAD ALREADY BEEN GRANTED, TO CONTINUE THIS HEARING UNTIL SUCH TIME THAT STAFF CAN COMMUNICATE WITH THE APPLICANT ABOUT HOW THEY CAN ADDRESS THE SPECIFIC ISSUES OF THE ORDINANCE AND ASSURE THE

**BOARD THAT THEY ARE ABLE AND WILLING TO MEET ALL OF THE
CONDITIONS AND REQUIREMENTS OF THE ORDINANCE. MR. GURRERI WAS
SECOND.**

HOLMAN Mr. Holman asked whether a date should be scheduled to continue the hearing.

EHRHART Solicitor Ehrhart responded that the continuance date should be set.

BISHOP Mr. Bishop suggested that it be continued at the June 26, 2008 meeting.

MOTION UNANIMOUSLY CARRIED.

FARR Mr. Farr indicated he would not be able to attend on June 26, 2008 as they have their Transit Authority Board of Directors meeting that night.

SCHENCK Chairman Schenck stated that it was not as complicated as it seemed.

GURRERI Mr. Gurreri thanked them for trying to provide bus shelters.

FELTENBERGER Mr. Feltenberger asked where they would find the specific questions and whether it was within the ordinance, 325.166; answering items A through J.

SCHENCK Chairman Schenck responded that he was correct.

RAO Mr. Rao stated that he would invite them to the Tuesday staff meetings.

HOLMAN Mr. Holman indicated it would be best if they could meet with staff to review this. He thought that going over the items line by line could be done relatively quickly.

BISHOP Mr. Bishop commented that the Tuesday meeting was a standing meeting where anybody can come in with an appointment and meet with the staff. All of the staff is there and it's a great opportunity for an understanding of Springettsbury's requirements.

EHRHART Solicitor Ehrhart asked for the applicant's consent to withhold the written decision until the continuance until after the continued hearing. She asked whether that was acceptable.

FARR Mr. Farr responded that it was acceptable.

SCHENCK Chairman Schenck concluded discussion on the issue.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road, presented a newspaper editorial from an industry magazine, "Fine Home Building" which discussed mandating passive survivability in building codes. In addition, there was a second article on pushing for more zero energy, a building challenge. He had discussed these articles with Rep. Keith Gillespie because anything the township would want to change would have to be changed in Harrisburg at the MPC. Rep. Gillespie was enthusiastic about this simply because it's an endeavor for construction in the future for more energy efficiency.

SCHENCK Chairman Schenck thanked him and indicated the article will be passed around.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill provided several updates to the written report previously submitted.

- Grit Removal Improvements project is moving forward. He provided photos to the Board. Design is moving forward on the BNR Improvements project. They are working with staff and reviewing manufacturers for a UV disinfection process.
- Design is moving ahead on the Meadowlands Pump Station Interceptor.
- Developer specifications and bid specifications were forwarded to the staff today for the Collection System Improvements. They are hoping for final approval to get the developer specs to their engineers and the sewer repair contract put out for the maintenance, etc.
- Codorus Creek Interceptor isolation gate shop drawings were approved, and the project will move forward to isolate the Codorus Creek and send more flow to York City, if necessary. That will enable televising of the interceptor, as well as for construction of the Waste Treatment Plant.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided three updates to his written monthly report.

- The Public Utility Commission hearing date was scheduled for July 2, 2008, and Mr. Luciani will provide documentation for everyone. They are working on exhibits and cost estimates for the Davies Drive rail

crossing. They are hoping to provide sufficient information in order to obtain a favorable verdict from the PUC.

- Pleasant Valley Road is scheduled for action later on in the Agenda. Even though the road was built six or seven years ago, it did not appear that the township was receiving Liquid Fuels money as it had not been formally adopted. Action to formally adopt that road will take care of that.
- Lastly, we are working with staff on construction material specifications and updating and re-formatting them for developers for roadway standards, etc. Included in those specifications are township traffic signal requirements. Those have always been in place, but emergency back up is being added to those signals. It will probably take 30 to 60 days to finalize those. Mr. Lauer is reviewing them and they will be distributed to the staff.

HOLMAN

Mr. Holman commented that both Mr. Luciani and Mr. Rao had been discussing construction material specifications with any developer that comes in when the project has a direct relationship to a traffic light. They are considered right up front.

5. CONSENT AGENDA

- A. TMI Commercial, Inc. – Application for Payment No. 3 – Grit Removal Improvements Project in an amount not to exceed \$11,761.**
- B. T. R. Stoner General Contractor – Application for Payment No. 4 – Penn Oaks Park Project in an amount not to exceed \$80,587.80.**
- C. Acknowledge Receipt of April 30, 2008 Treasurer’s Report.**
- D. Regular Payables as Detailed in the Payable Listing of May 22, 2008.**
- E. SD-07-03 – Time Extension – Spring Meadows – Plan Expires 6/30/08 (New Plan Date 9/30/08).**
- F. LD-08-02 – Time Extension – Rite Aid/Jiffy Lube – Plan Expires 6/25/08 (New Plan Date 9/25/08).**
- G. LD-06-07 – Time Extension – Dunkin Donuts – Plan Expires 6/10/08 (New Plan Date 9/10/08).**
- H. LD-08-03 – Time Extension – Senior Life – Plan Expires 6/25/08 (New Plan Date 9/25/08).**
- I. SD-07-10 – Time Extension – Marlin Weary, Jr. SD – Plan Expires 6/21/08 (New Plan Date 9/21/08).**
- J. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 6/13/08 (New Plan Date 9/13/08).**
- K. Board of Supervisors Regular Meeting Minutes – May 8, 2008**

MR. GURRERI MOVED TO APPROVE CONSENT AGENDA A THROUGH K AS PRESENTED. MR. BISHOP WAS SECOND.

BOWMAN

Mr. Bowman questioned how he should handle item K, as he was not present for the May 8th meeting and would abstain from the vote.

MR. GURRERI WITHDREW HIS MOTION.

SCHENCK Chairman Schenck indicated that item K would be removed from the Consent Agenda.

MR. GURRERI MOVED TO APPROVE CONSENT AGENDA A THROUGH J. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. GURRERI MOVED TO ACCEPT APPROVAL OF MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING MAY 8, 2008 AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.

6. ACCOUNTS PAYABLE

This item was covered under the Consent Agenda.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. Conditional Use Application – York County Transportation Authority (Rabbit Transit Proposal for Bus Shelters) – Application Filed on April 7, 2008 (Action).

SCHENCK Chairman Schenck indicated that this item had been discussed earlier during the Agenda.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri reported on an article, “Officer Shows His Strength” with regard to Officer Russell Shire, who won a bench press award in the 220 pound weight class. The award was presented March 29th at the U. S. Power Lifting Nationals in Scranton, PA. He congratulated Officer Shire as another outstanding person working for Springettsbury Township.

Mr. Gurreri reported he attended the PSATS convention and voted in behalf of the Board.

Mr. Gurreri had a call from a gentleman who was taken to the hospital by the township ambulance company. The insurance company paid for the ambulance, but they wouldn’t pay for the \$600.00 bill from the hospital. They didn’t recognize the hospital, but they recognized the ambulance service. If the township would bill it they would pay for it. Because the hospital billed it they wouldn’t pay for it.

- BISHOP** Mr. Bishop asked whether that was the Advanced Life Support.
- HOLMAN** Mr. Holman responded that it was the ALS.
- GURRERI** Mr. Gurreri expressed dismay that Medicare wouldn't recognize the hospital, but that's something that really had nothing to do with the township.
- HOLMAN** Mr. Holman stated that the matter had been discussed with Memorial Hospital several times. He will send out a report to the Board.
- BISHOP** Mr. Bishop brought up a request relating to Carnegie and Kingston Roads, which he had voiced some time ago. The homeowner had constructed some large block items on his driveway, which happen to be in the right-of-way and in the sight triangle.
- HOLMAN** Mr. Holman responded that he and Mr. Luciani would visit the site. He commented that the road curves at that location.
- BISHOP** Mr. Bishop indicated it was unfortunate because they did a lot of work and it looks really nice, but the way the road is configured the road curves and Mr. Bishop travels that way in the morning and had nearly been involved in two accidents.
- SCHENCK** Chairman Schenck commented on an item in Mr. Luciani's report indicating he was proud to announce that the York Valley Inn was finally gone. He stated that it appeared that they are doing some final clean up. He asked about the blue van up on blocks, and whether it belonged to the property owner.
- HOLMAN** Mr. Holman responded that they will add the blue van to their site visits.
- SCHENCK** Chairman Schenck indicated it had been there throughout the whole project. In addition, the grass is nearly three feet high. He wanted to be sure that will be mowed.
- RAO** Mr. Rao responded that he had sent notices out two days ago.
- HOLMAN** Mr. Holman added that the owners have asked to meet with him and Mr. Rao to go over some ideas. As soon as they meeting with us, Mr. Holman will report under the Development Authority.
- BISHOP** Mr. Bishop brought up the matter of sidewalks at the other end of Kingston and Edgewood. He suspected there could be some maintenance issues now that sidewalks are in place and grass in the property owner's back yards that they don't realize is theirs to maintain.

HOLMAN Mr. Holman responded that he had driven by there and agreed that there are maintenance issues. One thing that had been done with that developer is made sure that the property owners were made aware that it is their property to maintain.

GURRERI George Dvoryak sent an email and asked about the \$4,000 mistake that was made, and he asked if there was anything that could be done about it. Mr. Gurreri asked whether that should be discussed.

HOLMAN Mr. Holman responded that the matter related to Mt. Zion and Market Street. Mr. Holman planned to meet with Solicitor Rausch and Attorney Ehrhart for a review. There was an additional issue having to do with a review of the taxes and reconciliation. Mr. Holman will provide an update to the Board within two weeks. He had provided some information in his monthly report.

10. SOLICITOR'S REPORT

EHRHART Solicitor Ehrhart stated that she had nothing to report in addition to Solicitor Rausch's written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman reported that he had attended the Association of Pennsylvania Municipal Manager's Conference. There were some excellent seminars on strategic planning, evaluations and certain items of interest to the Board.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-05 – Amending Ordinance Regarding Rules for Allowing Dogs in Certain Areas of the Parks

SCHENCK Chairman Schenck stated that the ordinance had been advertised to allow dogs in certain areas of the parks.

MR. BOWMAN MOVED TO APPROVE ORDINANCE 08-05 AMENDING ORDINANCE REGARDING RULES FOR ALLOWING DOGS IN CERTAIN AREAS IN THE PARKS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-42 – Pleasant Valley Road Extension

SCHENCK Chairman Schenck noted that item B covered the acceptance of the Pleasant Valley Road Extension, which was built many years ago.

MR. GURRERI MOVED TO APPROVE RESOLUTION 08-42, PLEASANT VALLEY ROAD EXTENSION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

HOLMAN Mr. Holman reported that they still are waiting for approval of the bids from PennDOT for the Central Safe Routes to School and are hoping to get that approval within the next four weeks in order to move that project forward.

14. NEW BUSINESS

- A. Acknowledge Receipt of GASB 45 Actuarial Valuations for 2008**
- B. Acknowledge Receipt of Letter of Resignation from Park and Recreation Board Member Gary Foller (Effective September 30, 2008).**

SCHENCK Chairman Schenk noted that item A involved the actuarial evaluation, for which the Board needed to acknowledge receipt. He stated that item B involved acknowledging receipt of a resignation from Gary Foller, with regrets.

MR. BISHOP MOVED TO ACKNOWLEDGE ITEMS A AND B. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop mentioned that Gary Foller did a great job with the Parks and Recreation Board. He really did work hard and was very interested and Mr. Gurreri did a great job of recruiting Mr. Foller.

GURRERI Mr. Gurreri mentioned that he is a hands-on guy and he did a great job but he purchased a property in Florida.

SCHENCK Chairman Schenck asked that a letter of appreciation be sent to him.

BISHOP Mr. Bishop stated that, fortunately, he is going to stay around until September and will remain on the board until September.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:55 p.m.

Respectfully submitted,

John Holman
Secretary

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 22, 2008
APPROVED**

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 8, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 8, 2008 at 7 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
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Harish Rao, Community Development Director
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Dave Eshbach, Chief, Police Department
Bob McCoy, Chief, YAUFRR
Sandy Ratcliffe, Finance Department
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. He welcomed the attendees and thanked everyone for coming.

A. Opening Ceremony

GURRERI Mr. Gurreri welcomed the attendees and led the Pledge of Allegiance. He reminded everyone to keep the men and women in the armed services in prayer.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. April 24, 2008 – 8:35 p.m. (re: personnel)

SCHENCK Chairman Schenck announced that there was an Executive Session following the last meeting on April 24th regarding personnel. None had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road brought forward the Pleasant Valley Road traffic light, eastbound left turn signal. He stated that the signal needed an arrow. Mr. Stuhre commented on the improvements made to the Pistol Range. He noted that since the improvements were made there had been a magnification of the sound coming from the range. He suggested adding some acoustical barriers or baffles to stop the sound of gunfire.

ESHBACH Chief Eshbach stated that they are firing different weapons now, which may create a magnified sound effect.

STUHRE Mr. Stuhre suggested putting some type of barrier curtain as he found the noise very offensive.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober had provided his written report and presented some photographs of the Grit Removal project, which he reported was moving forward. They are starting the design phase of the Meadowlands Interceptor and are in the process of securing the permits and rights-of-way for that project. The Collection System Improvements is moving forward as well and they will be finalizing plans this week.

SCHENCK Chairman Schenck asked whether there was anything particular related to the Collection System project.

SCHOBBER Mr. Schober responded that the building had been constructed.

HOLMAN Mr. Holman added that it looked cleaner.

DVORYAK Mr. Dvoryak asked whether there were other alternatives available for long-term solutions.

SCHOBBER Mr. Schober responded that a nutrient training program is available, which is an appropriate, but limited, application. If a developer wanted to build a new sewage plant or subdivision, the limits for nitrogen would be basically zero. It would be physically impossible to attain. As a result the developer would have to build a treatment plant and buy credits. The program is only available in certain areas, and it had been investigated for Springettsbury.

HOLMAN Mr. Holman added that several of them were extremely small.

SCHOBER Mr. Schober stated that the training program was very much in its infancy, and there are a lot of questions as far as the duration and the cost of the credits which were fluctuating.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani had submitted his written report. He had three updates. He had visited the intersection of Pleasant Valley and Mt. Zion. He noted traffic counters which apparently had been placed for a potential project in that area. He added that the York Christian Church planned to expand their parking area. Kinsley came in with a three-story office building concept to relocate a Fortune 500 company on the Van Geesen tract. They applied for a zoning variance, which he thought had been successful. He added that it was a fast-track project. With three projects geared for that area, that intersection will be studied and the deficiencies identified. The developers will be requested to help solve that problem if they will add sufficient traffic to the area.

Mr. Luciani reported that he, Mr. Holman and Mr. Rao met with Windsor and York Township officials, documentation which will be provided in his next engineering report. He stated that the discussions centered around the Mt. Rose Avenue and the Longstown intersection expansions and sidewalks in that vicinity. They discussed the Heritage Hills project. An attempt is being made to coordinate all the projects which are in the same corridor. The Heritage Hills developer was present during the meeting. He thought every one was aware of all the planning, and Heritage Hills will present its plan during late summer or early fall.

Mr. Luciani reported that the Zoning Hearing Board reviewed two other items appearing on this Agenda: Suburban Middle School requested relief for parking quantity, which Mr. Luciani thought was successful, and the J&K Salvage special exception was denied.

5. CONSENT AGENDA

- A. B and R Electrical Contractors, Inc. – Application for Payment No. 7 – Grit Removal Improvements Project in an amount not to exceed \$5,671.52**
- B. Regular Payables as Detailed in the Payable Listing of May 8, 2008**
- C. Board of Supervisors Regular Meeting Minutes – April 24, 2008**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA A THROUGH C. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were none for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Award Bids for Safe Routes to School “Central Project” to B & R Construction Services in an amount not to exceed \$159,180.

HOLMAN Mr. Holman stated that he was very pleased with the bid results for the project. He requested a Codicil to the motion that authorization would be contingent upon final review of the bid specifications by the Pennsylvania Department of Transportation.

SCHENCK Chairman Schenck noted that it was his understanding that the bids had been qualified and properly submitted.

LUCIANI Mr. Luciani commented that they had investigated B&R Construction’s municipal project work.

HOLMAN Mr. Holman added that results of the background check indicated that everything was proper and all bids were within budget constraints.

MR. BISHOP MOVED TO GRANT THE AWARD CONTINGENT ON APPROVAL BY PENNSYLVANIA DEPARTMENT OF TRANSPORTATION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Award Bid Contract to Markl Supply Company, Inc. for Glock Model 22 and Model 27 Pistols in an amount not to exceed \$22,804.

HOLMAN Mr. Holman reported that Chief Eshbach did an excellent job of preparing the bid specs and advertising and review.

MR. DVORYAK MOVED TO AWARD THE BID CONTRACT TO MARKL SUPPLY COMPANY FOR THE GLOCK MODEL 22 AND MODEL 27 PISTOLS IN AN AMOUNT NOT TO EXCEED \$22,804. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-08-01 – Whiteford Investments (Diehl Suzuki), Northeast Intersection of Whiteford Road and Memory Lane Extd. – Plan Expires 7/28/08 (Action)

RAO Mr. Rao presented SD-08-01, Whiteford Investments, which was documented in a May 8, 2008 memorandum. It identified three separate parcels, which are currently residential in use, which will be consolidated into one parcel for a new car dealership in the Commercial Highway Zoning District. Mr. Rao provided a PowerPoint presentation which

included the Highlights, the Plan History, Project Location, Adjoining Zoning District, Aerial Photographs, Present Site, Existing and Proposed Plan, Proposed Objective and a Conceptual rendering. He stated that Bob Sandmeyer of Site Design Concepts was present to respond to any questions.

SCHENCK Chairman Schenck asked for an explanation of the difference between the subdivision and land development.

LUCIANI Mr. Luciani responded that the requested waivers must be done in both places. Scale waivers and sidewalk waivers are requested. He stated that the Land Development Plan will follow the Subdivision Plan but had been delayed due to stormwater issues. Sidewalks will be built up to Whiteford Road especially in the residential area. The embankment will be flattened.

SCHENCK Chairman Schenck asked what would happen if the Land Development Plan does not follow as planned.

LUCIANI Mr. Luciani responded that it is possible; however, the Township would not have the opportunity for curb and sidewalk which would have been waived and all that remained would be five or six buildings. There would be no additional improvement.

SANDMEYER Mr. Sandmeyer commented that the property is Commercial Highway and there will be land development, whether it is Diehl Suzuki or another developer, as it is a high visibility area.

BISHOP Mr. Bishop asked what would happen if waivers are approved and then another developer comes with another plan.

SANDMEYER Mr. Sandmeyer responded that the action will be tied to the plan.

LUCIANI Mr. Luciani reported that in one of the discussions it was determined that there are several houses there with one single use. The plan is to demolish all those buildings except one resulting in one single use. Technically they could operate out of that immediately without any Land Development Plan.

SCHENCK Chairman Schenck stated that he did not have a problem with the thought process and knew there was a 99.9% probability the plan will proceed. However, he had seen plans fall apart. He wanted a comfort level.

LUCIANI Mr. Luciani stated that they could be bonded. He indicated that it involved not only curbs and sidewalks, but also the landscaping and street lights. Those four specific items need to be addressed and seem to be more appropriate at the time of Land Development.

BISHOP Mr. Bishop noted that he was indicating to act upon the issues during Land Development, but this action would waive it during Subdivision.

LUCIANI Mr. Luciani responded that the question might conclude that the Board would not have the opportunity at Land Development, even though it will follow. If the plans weren't separate, there probably would not be this discussion.

SANDMEYER Mr. Sandmeyer offered another option related to the recording of the plan. That recording could be held until the bond is secured for the Land Development. That would make the plan null and void for the subdivision as well. That would eliminate any potential difficulty in changing the whole scenario.

SCHENCK Chairman Schenck reiterated that he needed a comfort level of assurance that the curbs and sidewalks will be constructed. He recalled other projects and ordinances where the Board indicated that they would not have to actually make improvements until the start of construction.

HOLMAN Mr. Holman indicated it would be acceptable to defer until the Land Development Plan or within six months notice of the Board's sidewalk requirement.

RAUSCH Solicitor Rausch suggested to approve the plan and grant the necessary waivers subject to conditions of the requirements for curb, gutters, sidewalk and landscaping and street lights shall be installed at the time of Land Development.

MR. BISHOP MOVED WITH REFERENCE TO SUBDIVISION-08-01, WHITEFORD INVESTMENTS, DIEHL SUZUKI, TO APPROVE THE FINAL SUBDIVISION PLAN WITH:

- **WAIVER OF SALDO (§289-13A) FOR FINAL PLAN SPECIFICATIONS; AND TO APPROVE THE FINAL SUBDIVISION PLAN WITH THE FOLLOWING CONDITIONS:**
- **SALDO (§289-11.B), PRELIMINARY PLAN SPECIFICATIONS ON MYLAR COPY AND SALDO (§289-76) ALL ENGINEERING, LEGAL AND ADMINISTRATIVE COSTS TO BE PAID PRIOR TO RECORDING OF THE APPROVED PLAN.**
- **CONDITIONED UPON REQUIRMENTS BEING MET AT THE POINT OF LAND DEVELOPMENT FOR SECTIONS OF OUR CODE INCLUDING CURBS AND GUTTERS, SIDEWALKS, LANDSCAPING AND BUFFER YARDS AND STREET LIGHTS.**

MR. GURRERI WAS SECOND.

SCHENCK Chairman Schenck asked that the motion would be made part of the notes on the plan.

RAO Mr. Rao responded that it would be placed on the cover sheet.

MOTION UNANIMOUSLY CARRIED

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri reported that he will be attending the PSATS convention and voting on resolutions. He asked the Board members let him know their comments. He reported, in addition, that the Local Government Advisory will hold a Full Committee meeting on May 22nd which is the same night as the Springettsbury Board meeting. He attended the York County Chamber of Commerce awards meeting and Bill Schenck was elected Official of the Year. He stated that it was an honor to be there.

DVORYAK Mr. Dvoryak shared a comment from the York County Community Foundation pertaining to the Township's grants department. He asked Mr. Holman to compliment the staff that in all the years they have been processing applications, the Springettsbury application are one of the best written and thought out that they received. Kudos to the grants department.

GURRERI Mr. Gurreri reported that he, Mr. Holman and Mr. Schenck will be attending the Four Chaplains Breakfast, which will honor Luther Sowers. He reported that he had attended the ribbon cutting for the York Area United Fire and Rescue, which was a very nice affair. He congratulated the committee.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had submitted his written report. He added one item to report that the Township had filed charges against Doutrick. A hearing date will be scheduled.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing further to add to his written report.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-04 – Rescinding No Parking Zone on Pleasant View Drive, between Marion Road and Chronister Street

SCHENCK Chairman Schenck stated that the item previously had been tabled to allow for further review.

HOLMAN Mr. Holman stated that it had been discussed with Mr. Lauer. He reported that the width is a normal width for parking to be permitted on both sides. The reason for the no parking was for the events that were held there in the past. However, they no longer exist. Mr. Luciani went back to the site for further review, and there was no reason for no parking.

GURRERI Mr. Gurreri noted that it was pointed out that there are children walking in the area with the potential for speeding vehicles.

LUCIANI Mr. Luciani responded that there are sidewalks in the area, but it is a fairly rural area. There is not a lot of pedestrian activity.

SCHENCK Chairman Schenck added that he had investigated the area as well. He stated that the ordinance had been advertised for potential adoption.

**MR. DVORYAK MOVED FOR ADOPTION OF ORDINANCE NO. 08-04
RESCINDING NO PARKING ZONE ON PLEASANT VIEW DRIVE BETWEEN
MARION ROAD AND CHRONISTER STREET. MR. BISHOP WAS SECOND.
MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 08-41 – Authorizing Approval of Final Budget for Calendar
Year 2008 for York Area United Fire and Rescue**

SCHENCK Chairman Schenck commented that action on item B would be the Board's approval on the Final 2008 Budget for the York Area United Fire and Rescue.

DVORYAK Mr. Dvoryak appreciated the Board's extending the opportunity for him to review the budget prior to the vote. He had reviewed it and had several questions. A summary of a lengthy discussion follows:

- Time period – first date of operation was 2/11/08
- Percentage does not calculate to 55%/45%
- Springettsbury was carrying its costs; Spring Garden was carrying theirs as well.
- Contract Services – Firemen are being paid by each township
- Springettsbury will transfer \$286,201.64
- No salary, wages, social security, pensions, etc. will be transferred – duplication of transfers.
- All money expended from 2/11 to 5/11 amounted to \$3,049,314.06.
- Spring Garden will reimburse Springettsbury approximately \$23,000 to be approved on 5/11.
- Spring Garden has few expenses due to a \$30,000 grant received as part of this project.

- Any additional expenses would come back to the Board for approval as part of the Charter Agreement.

DVORYAK Mr. Dvoryak stated for clarification that February 11th was the date that the new Fire Chief was hired and began to purchase the things needed to become operational. The actual first day of operation was Monday, May 5, 2008 when the actual forces were combined and began operating as a joint fire services. He recalled that contract services were included in the temporary budget that was approved some time ago.

HOLMAN Mr. Holman responded that he was correct.

DVORYAK Mr. Dvoryak stated that he was comfortable approving the York Area United Fire and Rescue budget. However, he wondered if the budget should only be approved after May 11th.

HOLMAN Mr. Holman responded that the \$3,049,314.06 is being approved back to January 1 to provide a total budget picture for this year.

SCHENCK Chairman Schenck stated that one thing that had helped him understand was that back in September of last year there were funds being expended as part of the organization even though they weren't direct operational expenses. They were funds were for consultants and legal fees, etc. This is an attempt to capture everything and look ahead to have a total picture for next year.

BISHOP Mr. Bishop added that one other issue is that when approving a budget, it's really acknowledging it.

DVORYAK Mr. Dvoryak thought that it would have an impact between now and December 31st. Springettsbury's allocation for this year is 57% instead of 55%. The other question related to the January 1st number and what was included in that. He asked if that was part of Springettsbury's portion.

HOLMAN Mr. Holman responded that it was part of Springettsbury's capital contribution to the organization, the capital investment.

DVORYAK Mr. Dvoryak asked whether it had been reviewed with Ms. Ratcliffe.

SCHENCK Chairman Schenck responded that it had been reviewed and he was comfortable that in September it would all balance.

BISHOP Mr. Bishop commented that he appreciated that Mr. Dvoryak had taken the time to review the budget.

MR. BISHOP MOVED TO APPROVE RESOLUTION NO. 08-41, AUTHORIZING APPROVAL OF FINAL BUDGET FOR CALENDAR YEAR 2008 FOR YORK AREA UNITED FIRE AND RESCUE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business for action.

14. NEW BUSINESS

A. Approval of Revised Job Descriptions for Community Development Department Employees:

- 1) Director of Community Development**
- 2) Sewer and Codes Enforcement Technician**
- 3) Plumbing Inspector and Codes Enforcement Technician**
- 4) Building Inspector and Codes Enforcement Technician**
- 5) Codes Enforcement Officer – Part Time**

HOLMAN Mr. Holman stated that every job description was being reviewed to be sure it is up to date. They are moving from employees through management in compliance with state and federal statutes.

MR. GURRERI MOVED TO APPROVE REVISED JOB DESCRIPTIONS FOR COMMUNITY DEVELOPMENT DEPARTMENT EMPLOYEES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop commented that the process is very valuable and one of the things that this board needed to review is making sure to do a good job within the organization of training and succession planning.

HOLMAN Mr. Holman responded that personnel are being trained slowly to move into department head positions in order to always have someone ready.

BISHOP Mr. Bishop suggested that Mr. Holman share that plan with the board some time.

B. Acknowledge Receipt of Letter of Resignation from Zoning Hearing Board Member Ronald Scheeler

BISHOP Mr. Bishop commented that Mr. Scheeler had an 11-year record of perfect attendance on the Zoning Hearing Board.

SCHENCK Chairman Schenck acknowledged the receipt of his resignation letter and asked that a letter of appreciation be sent to him.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 8, 2008
APPROVED**

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 24, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Nick Gurreri
Mike Bowman

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Betty Speicher, Director of Human Resources
Bob McCoy, Chief, YAUFRR
Dave Eshbach, Chief, Police Department
Dori Bowders, Manager of Administrative Operations
Harish Rao, Community Development Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Sandy Ratcliffe, Finance Department
Teri Gilfillan, Grants and Public Relations/Events Specialist
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and thanked everyone for coming.

A. Opening Ceremony

SCHENCK Chairman Schenck led the Pledge of Allegiance.

B. Recognition of Springettsbury Township by the National Committee for Employer Support of the Guard and Reserve (ESGR)

HOLMAN Mr. Holman asked Fireman Scott Little and Chief McCoy to come forward. He explained that Fireman Little had served in the Marine Corps in Iraq during which time the township supported him. Fireman Little nominated the township for an award.

SCHENCK Chairman Schenck read the award certificate and stated that, even though the township had provided support, it was insignificant in comparison to what

Fireman Little had done during his tour of duty. The township really appreciated it.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting. A brief session was scheduled following the meeting this date for a personnel matter.

3. COMMUNICATION FROM CITIZENS

YOUNG Mr. Steve Young, 680 Park Avenue, stated he recently had returned to York from Fairfield, Connecticut. He had been active in government in Fairfield County. He commented on the proposed ordinance 08-04 eliminating the restriction of parking on Pleasant View Drive between Marion Road and Chronister Street. He had discussed this with Mr. Holman to obtain background. He cited several reasons in opposition to elimination of the ordinance, such as new homes and businesses, large truck traffic, partial sidewalk, and children walking on the narrow roadways.

SCHENCK Chairman Schenck asked Chief Eshbach whether that had been an enforcement issue and whether motorists were parking there.

ESHBACH Chief Eshbach stated that it had not been an enforcement issue. However, it is not posted, and motorists can park there.

YOUNG Mr. Young added that there currently is parking on one side and often on both sides.

SCHENCK Chairman Schenck thanked him for his comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Bucharth Horn, Inc.

SCHOBER Mr. Schober stated that the Grit Removal project was moving along well. Buildings are up and equipment was installed. Electricians are making final corrections to electrical wiring. The design of the interceptor was finalized replacing the pump station for the Meadowlands Pump Station project. Permitting work is being done. Three rights-of-way will be needed and will be coordinated with Solicitor Rausch. Mr. Schober met with Jim Crooks on some of the bid specifications on the Collection System project. Those are done, comments are being addressed, and the bid will go out shortly.

B. Civil Engineer – First Capital Engineering

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 24, 2008
APPROVED**

LUCIANI Mr. Luciani had submitted his written report. He stated that he, Mr. Holman and Mr. Rao met with PennDOT to discuss the Heritage Hills traffic signal. They met with their traffic consultant and the design unit, and the permits engineer. The project manager is going to widen Mt. Rose Avenue to five lanes. They continue to remind the municipalities that bridges are priority because of recent accidents, especially in Minnesota. A lot of money is being spent on bridge maintenance, which could eliminate the use of funds for other projects that would have to be shelved. The conclusion of that meeting was that the developer and municipalities, because this involved both York Township and Windsor Townships, should attend a MPO meeting as well as a township meeting in May when the developers will meet and discuss the coordination of the signal with the corridor. The goal is to eliminate the Chambers Road light and attempt an inter-connection if possible.

Mr. Luciani stated that they met with Mike Hyser, the design engineer for Mt. Zion Road and Market Street. Mr. Luciani was fairly happy with his comments.

HOLMAN Mr. Holman noted that his comments were relatively minor.

LUCIANI Mr. Luciani stated that the plan needed to be reviewed by another group within PennDOT, but written comments are expected within the next few weeks. If the oral comments are the only comments, the HOP could be obtained relatively quickly. They are currently negotiating with property owners for rights-of-way and that seemed to be moving relatively quickly. The utility coordination then will become the critical path.

Mr. Luciani reported that bids were received for the Safe Routes to School/Central-Hammond Road project. Results will be provided to the Board at the next meeting.

Mr. Luciani reported that he, Mr. Holman, Solicitor Rausch met to discuss the Concord Road rail crossing and how to override some of the Norfolk Southern safety concerns. The Police Department provided a long history of accidents in and around the railroads and there does not appear to be a train/car collision in the history. The accidents typically involve car to car, rear enders, etc. Mr. Luciani felt that was good data, which will be compiled for the PUC hearing. He thought that their strategy will be to encourage motorists to go over the bridge, make a left and get back on Davies Drive to replace what was proposed with a straight-through route. The 911 Center will have additional input because they want a more direct access route to Market Street. They are working through all the issues.

SCHENCK Chairman Schenck commented that he had observed some serious flooding during a storm on Sunday evening, April 13th, in the area where the bridge was removed near the Frammer's shop. He had not seen this flooding for some time, but it could have been debris clogging up the drains.

- LUCIANI** Mr. Luciani responded that Mr. Lauer had made some improvements with the Jersey barrier. He will discuss it with Mr. Lauer.
- SCHENCK** Chairman Schenck noted that he appreciated the Willie Walker property plot plan. He assumed the township will begin mowing that area.
- HOLMAN** Mr. Holman responded that was taken care of, as well as notices being issued on the vehicles that are parked there that must be removed.
- LUCIANI** Mr. Luciani added that a survey of the property showed the four corners.
- SCHENCK** Chairman Schenck noted that at some point the Board will have to discuss what to do with that property.
- HOLMAN** Mr. Holman stated that the lot will be cleaned up, and once that is done, a meeting will be held to discuss the options.

5. CONSENT AGENDA

- A. LD-07-08 – Time Extension – Heritage Hills Hotel Addition – Plan Expires 5/23/08 (New Plan Date 8/23/08).**
- B. SD-07-07 – Time Extension – Heritage Hills Reverse SD – Plan Expires 5/27/08 (New Plan Date 8/27/08).**
- C. SD-07-08 – Time Extension – Chalker/Boice Minor SD – Plan Expires 5/15/08 (New Plan Date 8/15/08).**
- D. SD-07-09 – Time Extension – Waltersdorff Residential SD – Plan Expires 5/26/08 (New Plan Date 8/26/08).**
- E. SD-08-02 – Time Extension – Rite Aid/Jiffy Lube Reverse SD – Plan Expires 5/25/08 (New Plan Date 8/25/08).**
- F. SD-08-03 – Time Extension – Pam/Long SD – Plan Expires 5/25/08 (New Plan Date 8/25/08).**
- G. T. R. Stoner General Contractor – Application for Payment No. 3 – Penn Oaks Park Project in an amount not to exceed \$28,318.50.**
- H. Regular Payables as Detailed in the Payable Listing of April 24, 2008.**
- I. Acknowledge Receipt of March 31, 2008 Treasurer’s Report.**
- J. Acknowledge Receipt of March 18, 2008 York Area United Fire & Rescue. Commission Meeting Minutes.**
- K. Board of Supervisors Public Hearing Minutes – April 10, 2008.**
- L. Board of Supervisors Regular Meeting Minutes – April 10, 2008.**

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA, A THROUGH L. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

- A. Kinsley Construction – Authorization for Final Payment and Closeout of Contract for Concord Road Improvements in the amount of \$64,755.37**

HOLMAN Mr. Holman reported that the contract was under budget by approximately \$52,000 less than the original award.

MR. BOWMAN MOVED TO AUTHORIZE FINAL PAYMENT FOR CLOSEOUT OF CONCORD ROAD IN THE AMOUNT OF \$64,755.37. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Advertise Request for Sealed Bids – 2008 Road Materials**

MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT REQUEST FOR SEALED BIDS FOR 2008 ROAD MATERIALS. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Advertise Request for Sealed Bids – Pedestrian Bridge – Penn Oaks Park Project**

MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE REQUEST FOR SEALED BIDS FOR PEDESTRIAN BRIDGE, PENN OAKS PARK PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Request for Change Orders – Johnston Construction Company – Grit Removal Project as follows:**

- 1) Change Order No. 9 – Extra 4-inch ductile iron piping at a cost not to exceed of \$7,828.**
- 2) Change Order No. 10 – New storm water system near administration building at a cost not to exceed \$20,527.**
- 3) Change Order No. 13 – New sluice gate in the Codorus Creek Interceptor at the diversion pump station at a cost not to exceed \$29,340.**
- 4) Change Order No. 15 – Paint walls and ceiling of pump building at a cost not to exceed \$2,400.**

HOLMAN Mr. Holman stated that these are change orders due to the as-built conditions as part of the design for the BNR program.

MR. BOWMAN MOVED TO APPROVE REQUEST FOR CHANGE ORDERS, JOHNSTON CONSTRUCTION COMPANY, GRIT REMOVAL PROJECT ITEMS 1 THROUGH 4. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-07-08 – Chalker/Boice Minor Subdivision, 3710 & 3730 Springetts Drive – Plan Expires 5/15/08 (Action)

RAO Mr. Rao presented SD-07-08, Minor Subdivision of the Chalker/Boice property documented in an April 24, 2008 memorandum. He stated that the project involved 3710 and 3730 Springetts Drive. Currently an easement is on record for a paved area that David Chalker, Jr. owns extending into Kenneth Boice's property. The minor subdivision is proposed to move the lot lines so that all of Mr. Chalker's paved area is located within his property. In doing so, the easement would then be eliminated. Mr. Rao provided a PowerPoint presentation including the highlights of the plan, the plan history, the project location, existing plan, aerial photo showing the bump out, and proposed plan eliminating the bump out.

KATHARMAN Attorney Bob Katharman, representing Dr. and Mrs. David Chalker and Mr. and Mrs. Ken Boice, provided some background on the property. Some years ago, Charles Hash, the former owner of the Chalker property got an easement from his neighbor in order to extend his property out so that he could easily back out of his garage. He prevailed upon his neighbor to give him the easement. The person who gave the easement sold and moved on, and Boice bought the property. Charles Hash moved out and Dr. Chalker bought his property. When Boice went to sell his house, they got a contract on the house, but when the title search was done, the prospective buyer didn't want to buy a house where someone else had an easement on their land. This action proposes to eliminate that, contemplates absolutely no change that anyone would see, and just shifting the lot line so that Mr. Boice can sell his property without having the easement. He concluded that it is a minor subdivision.

MR. BOWMAN MOVED WITH REFERENCE TO MINOR SUBDIVISION PLAN SD-07-08 TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVER:

- **SALDO §289-14, MINOR SUBDIVISION WAIVER.**

WITH REFERENCE TO MINOR SUBDIVISION PLAN SD-07-08 MR. BOWMAN MOVED TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-11.B.5, SALDO §289-11.B.26, SALDO §289-13.A, AND SALDO §289-76.**
- **ALL CORNER MONUMENTATION SHALL BE SET PRIOR TO RECORDING THE PLAN.**

MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-07-01 – Member's 1st Federal Credit Union, 2360 Whiteford Road – Plan Expires 6/20/08 (Action).

RAO Mr. Rao presented LD-07-01, a Preliminary/Final Land Development Plan for Members 1st Federal Credit Union which proposed the construction of a 3,518 square foot building located on the southern side of Whiteford Road. The project was documented in an April 24, 2008 memorandum. Mr. Rao provided a

PowerPoint presentation showing the plan highlights, history, project location, adjoining zoning district, aerial photo, present site, existing plan, proposed plan, and architectural rendering.

NAVARRO Mr. Aaron Navarro of J. Michael Brill & Associates represented Members 1st. He stated that the time line for the project was delayed due to the underground pipeline. They initially came before the Zoning Hearing Board and reviewed the pipeline. An agreement with Sun Oil was reached for relocation of the pipeline easement. Sunoco will be removing the old pipeline and a proposed pipeline will not be installed at this time but will follow Route 30 and be reconnected.

SCHENCK Chairman Schenck asked whether it was inactive at this time.

NAVARRO Mr. Navarro responded that he was correct.

SCHENCK Chairman Schenck asked whether there was any further interest in it.

LUCIANI Mr. Luciani responded that Sun Oil simply wanted continuity of their pipeline. Mr. Luciani did not know if they intend to have a fuel line in that area, but a fiber-optic line for an easement would be a possibility.

BOWMAN Mr. Bowman commented that there is an existing house on the property.

NAVARRO Mr. Navarro responded that he was correct and that another one had been demolished.

MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT PLAN LD-07-01, MEMBERS 1ST FEDERAL CREDIT UNION WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:

- **WAIVER OF SALDO §289-10 A-E, PRELIMINARY PLAN SPECIFICATIONS;**
- **WAIVER OF SALDO §289-15.D, HISTORIC RESOURCES;**
- **MODIFICATION OF SALDO §289-26, C&D, LANDSCAPING AND BUFFER YARDS;**
- **WAIVER OF STORMWATER §281-7.A, DESIGN CRITERIA; STORMWATER MANAGEMENT FACILITIES;**
- **WAIVER OF STORMWATER §281-7.F, DESIGN CRITERIA; STORMWATER MANAGEMENT FACILITIES;**
- **WAIVER OF STORMWATER §281-7.G, MINIMUM BOTTOM SLOPE;**
- **WAIVER OF SALDO §289-14.A, FEASIBILITY REPORT ON SEWER AND WATER FACILITIES;**
- **MODIFICATION OF SALDO §289-27, STREET LIGHTS.**

WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-07-01, MEMBERS 1ST FEDERAL CREDIT UNION, MR. BISHOP MOVED TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-13.A, FINAL PLANS SPECIFICATIONS;**

- **SALDO §289-29.C, PERFORMANCE REQUIREMENTS;**
- **GENERAL – A PENNDOT HIGHWAY OCCUPANCY PERMIT WILL BE REQUIRED PRIOR TO COMMENCEMENT OF ANY WORK PROPOSED WITHIN THE US ROUTE 30 LEGAL RIGHT-OF-WAY;**
- **GENERAL – A DEVELOPERS AGREEMENT WILL BE REQUIRED FOR THE IMPROVEMENTS PROPOSED WITHIN THE WHITEFORD ROAD RIGHT-OF-WAY.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Conditional Use Action Item: York County Transportation Authority (Rabbitransit Proposal for Bus Shelters) – Application Filed on 4/7/08

SCHENCK Chairman Schenck understood that the Authority was not ready to discuss the bus shelters.

HOLMAN Mr. Holman indicated that they plan to attend the meeting on May 22nd. He stated that the Public Hearing had been scheduled for May 22nd at 6:30 p.m.

Consensus of the Board was to table item C.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri noted that at the intersection of Concord Road and Mt. Zion Road heading south, motorists are making a left-hand U-turn there. Some can't make that turn and they back up. Meanwhile Concord Road has the green light to come through, and it's a very dangerous situation. Mr. Gurreri suggested there should be a No U-Turn sign there.

HOLMAN Mr. Holman indicated that he and Mr. Gurreri attempted to make the U-turn in the SUV and it was very difficult.

SCHENCK Chairman Schenck asked whether Board approval was necessary to authorize a No U-Turn sign. He asked whether a traffic study was needed.

HOLMAN Mr. Holman responded that a No U-Turn sign would be all that is necessary.

GURRERI Mr. Gurreri noted that Kingston Road is 25 miles an hour speed zone. One of the neighbors asked if the township could put additional 25 mph speed signs on the street. Mr. Gurreri commented that it probably wouldn't hurt anything but he wasn't sure if it would help. He wanted the suggestion noted in the minutes.

SCHENCK Chairman Schenck asked whether there was spacing of so many feet.

ESHBACH Chief Eshbach responded that it is posted in every block.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that the first right-of-way for Market Street/Mt. Zion from 3216 East Market Street, Yorktown Abstracting, is being processed. He needed authorization for the Chairman to sign an Agreement of Sale for the easement. He stated that they are using PennDOT appraisals for the acquisition of the rights-of-way. If the Board desired, it can authorize the Manager to sign the agreements of sale. If something surfaces that would be out of the ordinary it could be brought before the Board. However, they are pretty standard.

MR. GURRERI MOVED THAT THE CHAIRMAN SIGN THE AGREEMENT OF SALE FOR THE RIGHT-OF-WAY FOR 3216 EAST MARKET STREET AND AUTHORIZE THE MANAGER TO SIGN FOR FUTURE AGREEMENTS OF SALE FOR RIGHTS-OF-WAY RELATING TO THE MARKET STREET AND MT. ZION ROAD PROJECT IN ACCORDNACE WITH THE APPRAISALS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch added that letters are being sent to all property owners indicating some of the things they are trying to do within the project, such as replacing small trees or shrubs, etc. They are doing everything possible to minimize any objections.

11. MANAGER'S REPORT:

HOLMAN Mr. Holman stated that he had nothing to add to his written report. He indicated there will be discussion on the York Area United Fire and Rescue 2008 budget under New Business.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-04 – Rescinding No Parking Zone on Pleasant View Drive between Marion Road and Chronister Street

SCHENCK Chairman Schenck stated that a Public Hearing had been held previously on Ordinance 08-04 and it is available for action. However, a resident came forward this evening with new information. Chairman Schenck was not aware it was not posted. Essentially as far as the neighborhood is concerned, they assume they can park there because there are no signs.

HOLMAN Mr. Holman noted that the police, fire departments and public works went through and checked it. The roadway is 27 feet wide, and there is parking on each side. The No Parking ordinance should be eliminated.

BISHOP Mr. Bishop asked whether motorists are parking there.

HOLMAN Mr. Holman responded that yes, some are parking there. He added that there was nothing that indicated no parking.

BOWMAN Mr. Bowman asked whether it does present a safety issue for children walking through.

HOLMAN Mr. Holman responded that there are intermittent sidewalks.

SCHENCK Chairman Schenck commented that, based on earlier information and the public hearing he favored approval. However, now he was curious for additional review. He indicated there would be no harm in tabling it for the next meeting.

HOLMAN Mr. Holman responded that further review will be done and pictures will be taken.

Consensus of the Board was to table item A.

B. Resolution-08-40 – Authorizing Shared Purchasing Program

HOLMAN Mr. Holman noted that item B involved the 2008 road material bid. The bidding would be done with other municipalities, and if it is favorable, additional bidding with other municipalities will be done in the future.

MR. GURRERI MOVED TO APPROVE ORDINANCE NO. 08-05 AUTHORIZED SHARED PURCHASING PROGRAM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 08-38 – Adoption of York County Hazard Mitigation Plan

HOLMAN Mr. Holman stated that the County did the plan for all municipalities. Mr. Luciani assisted along with all the Emergency Services Directors and Emergency Management Coordinator, Mr. Stern, to review the plan. There were no objections to the plan. It would be helpful for the township to adopt it.

SCHENCK Chairman Schenck asked how this would tie in to the overall Emergency Management. He had attended a meeting of small group thinking about joint emergency management planning and there are connections with the state, the county. He asked whether that was part of this plan.

HOLMAN Mr. Holman responded that it includes PEMA, FEMA, York County and the Emergency Management Coordinator in emergency situations. It goes into the risk assessments of what the chances are of tornado, hurricanes, nuclear catastrophes and other emergencies that may occur.

SCHENCK Chairman Schenck asked whether the township still would have its own emergency plan.

HOLMAN Mr. Holman responded that it has nothing to do with the township emergency planning.

SCHENCK Chairman Schenck commented that there are serious gaps in all the plans for emergencies in the township plan, the county plan and the state plan. If a serious emergency would take place in York County, everyone will be calling on the same resources at the same time and that the plan doesn't address.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-38, ADOPTION OF YORK COUNTY HAZARD MITIGATION PLAN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Advertise Ordinance Amending Park Rules Regarding Pets in Certain Park Areas

SCHENCK Chairman Schenck noted that the ordinance would authorize allowing pets in certain areas of the parks. There was some planning done for this in the past, highlights were to pick up animal waste and keep the pets off of some of the designated playing fields, tennis courts, etc. and to use common sense. This action is just to authorize advertisement.

GURRERI Mr. Gurreri noted that it was a very good idea to set guidelines.

MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE AMENDING PARK RULES REGARDING PETS IN CERTAIN PARK AREAS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

HOLMAN Mr. Holman stated that a payment of \$160,000 had been received from Yorktown Center for its development contribution. He added that it will go toward the Mt. Zion Road project.

14. NEW BUSINESS

A. Discussion on York Area United Fire and Rescue 2008 Budget

SCHENCK Chairman Schenck introduced the budget item for discussion. He indicated that the proposed budget will take YAUFRR through the year. He asked Mr. Holman to provide a short presentation.

HOLMAN Mr. Holman provided a PowerPoint presentation of the YAUFRR 2008 Budget. His presentation included the history starting in 2003, which included resolutions adopted by Spring Garden and Springettsbury Townships, the creation of the Joint Fire Services Committee, the completion of a study by the Pennsylvania DCED in 2005 recommending approval of the project, the authorization of the Buracker

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 24, 2008
APPROVED**

study in 2006, the 2007 recommendation to join services, and the Commission created and Charter Agreement adopted in 2007. The Fire Chief was hired on February 11, 2008. A temporary three-month budget was approved by the two municipalities, and a request was made for approval of a full budget on April 15, 2008 in the amount of \$3,049,314.06. Mr. Holman stated that the budget must be approved by both Spring Garden and Springettsbury Townships. He indicated that a Resolution had been prepared authorizing approval of the final budget for the calendar year 2008. He thanked Sandy Ratcliff, Linda Bateman, Chief McCoy, John Fullmer, and Chairman Schenck for their efforts with regard to the budget. He stated that the township's final reimbursement of 55% was submitted to Spring Garden and they will submit their reimbursement of 45% for the earlier share of the funds. He noted that the draft Resolution had been presented for approval. Spring Garden will be taking action during the second week of May.

SCHENCK Chairman Schenck thanked him for a great job of summarizing all the transactions and history.

HOLMAN Mr. Holman stated that the presentation will be expanded for future use.

BISHOP Mr. Bishop commented that one board member who regularly reviews such things was not present. Mr. Dvoryak could provide fresh eyes and perspective.

SCHENCK Chairman Schenck asked whether there was any urgency toward passing the budget resolution.

HOLMAN Mr. Holman responded that the presentation was put together to explain it and a draft resolution was prepared. However, it could be held for Board action at the next meeting.

SCHENCK Chairman Schenck stated he wanted to be sure that the message was clear that the board was not challenging the budget. The board members want to make sure that every member had total visibility.

BISHOP Mr. Bishop added that George Dvoryak is a financial professional among the board members and it seemed to be a good idea to take advantage of his expertise.

SCHENCK Chairman Schenck asked that Mr. Dvoryak should be briefed ahead of the next meeting since he could not see the presentation.

Consensus of the Board was to table any action on the York Area United Fire and Rescue Services budget.

B. Historic York, Inc. – Request Abatement of Taxes on Schultz House

SCHENCK Chairman Schenck introduced a request for abatement of taxes on the Schultz house.

HOLMAN Mr. Holman reported that a letter had been received with a request for this abatement. This would not be a normal practice of the Board. He reported that the school board voted not to make any change.

Consensus of the Board was to stay consistent with the current policy.

C. Resolution No. 08-39 – Appointment of Kevin Youcheff to the Park and Recreation Board to fill the unexpired term of Sylvia Weber; said term expiring on the first Monday in January, 2012.

BISHOP Mr. Bishop noted that the Board had interviewed Kevin Youcheff, a candidate for the Park and Recreation Board.

MR. BISHOP MOVED FOR THE APPOINTMENT OF KEVIN YOCHEFF TO THE PARK AND RECREATION BOARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:25 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**APRIL 10, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, April 10, 2008 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Don Bishop
Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
David Wendel, Director of Parks and Recreation
Charles Wurster, Springettsbury Township Planning Commission Member
Jean Abreght, Stenographer

A. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:50 p.m. He welcomed the attendees to the Public Hearing.

B. NEW BUSINESS

A. Amending Comprehensive Plan:

- 1) **Comprehensive Recreation, Park and Open Space Plan to become Appendix A to the Springettsbury Township Comprehensive Plan**

SCHENCK Chairman Schenck stated that the purpose of the Public Hearing was to hear comments on the Amendment to the Comprehensive Recreation, Park and Open Space Plan. He opened the floor for comment.

C. PUBLIC COMMENTS

WURSTER Charles Wurster, Chairman of the Recreation and Comp Plan Committee stated that they had put together the documentation for consideration. He expressed appreciation for the Committee that worked on the plan. He stated that it was a very comprehensive document that explored the recreation resources in York County as well as the needs into the future.

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**APRIL 10, 2008
APPROVED**

The Committee fully endorsed the document. He thanked the Board for the opportunity to have the hearing and urged the Board's consideration.

D. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the Public Hearing at 6:55 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 10, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 10, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Don Bishop
Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Harish Rao, Community Development Director
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
David Wendel, Director of Parks and Recreation
Charles Wurster, Park and Recreation Committee
Sandy Ratcliffe, Finance Department
Dave Eshbach, Chief, Police Department
Bob McCoy, Chief, YAUFR
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and thanked everyone for coming.

A. Opening Ceremony

SCHENCK Chairman Schenck led the Pledge of Allegiance. He stated that two of the Board members would not be in attendance: Nick Gurreri and Don Bishop. Both had other obligations. He reminded the Board that it should not influence their voting but any action required a majority of the Board.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

BRENNEMAN Terry Brenneman, Owner of Colony Park Lanes on East Market Street, stated that he had owned the lanes since 1988. His concern related to the potential ordinance lowering the curfew for people under 18 from Midnight to 11 o'clock. He had grave concerns about how it would affect his business. He cited several unique programs for family bowling, which provided a safe place for families and youth. He had not experienced any difficulties with "hooligans." He indicated the penalties involved did not seem justified for business owners; the responsibility should be placed upon the parents.

SCHENCK Chairman Schenck commented on the background of the ordinance. He stated that it had been drafted by the York County Truancy Task Force. They had circulated it throughout the county and had encouraged every municipality to enact it so that there's uniformity across the county. He added that it was not anything that Springettsbury had brought forward. The township was taking it under advisement and appreciated Mr. Brenneman's point, which certainly was valid.

HOLMAN Mr. Holman noted that the item is on the Agenda under Old Business for further discussion.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart-Horn, Inc.

CRABILL Dennis Crabill, Buchart-Horn, presented the report in Mr. Schober's absence. He noted that Mr. Schober had provided a written report. He reported in summary that the Grit Removal Improvements construction was progressing well. The design phase of the BNR Improvements was moving forward, and they are working on some questions about the process with DEP. The design phase had begun for the Meadowlands Pump Station, which will eliminate the pump station and replace it with an interceptor. The plan is to size the laterals up to 12-inch to handle debris. Messrs. Hodgkinson and Crooks had reviewed the drawings, and the elevations will work well.

SCHENCK Chairman Schenck asked whether it will flow back down to Stonewood.

CRABILL Mr. Crabill responded that it will go all the way back to the East York pump station force main.

SCHENCK Chairman Schenck asked how it would affect that station and whether it would be able to handle it.

CRABILL Mr. Crabill responded that it would not have a big impact. He reported that there are various collection system improvements on-going. Township staff exposed

the valves on Industrial Road on the East York pump station force main, and it does not appear the valves will need to be replaced. The on-call contractor contract is under review by staff. That contractor will do the pipe televising and cleaning. They are waiting for the contractor to provide a cost on the Codorus Creek interceptor by-pass gate project. There is an outstanding Buchart-Horn proposal to do televising for the Codorus Creek walking trail, which is being reviewed by staff.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani had provided a written report. He noted several additions.

- Lincoln General Insurance building – Modifications are expected to the landscape plan.
- 84 Locust Grove Road – Curb and sidewalk issue; small scale project.
- Rite-Aid – Department of Transportation requires traffic study; coordination with signal plans.
- Hellam/Springettsbury Water Line – Requirements differ; coordination meeting to be scheduled.
- Market Street Signal Plans – Meeting scheduled with PennDOT
- Safe Routes to School – Bidders requesting documents.

BOWMAN Mr. Bowman asked Mr. Luciani what his best guess would be for the project at Mt. Zion and Market Street. They did caution it could be many years until this work could be scheduled; however, if prioritized it could be done this summer.

LUCIANI Mr. Luciani responded that a utility coordination meeting was held with Verizon. They wanted the lanes to be more narrow, but the pole would be in the middle of the lane. There is no chance that the pole could remain where it is. The township thought it would be responsible for the cost of utility relocation; however, they are not at the edge of the right-of-way so the Verizon representative indicated that the poles would be relocated at their cost. There is not much incentive to prioritize that. He indicated that they have to be convinced them that it is in their best interests.

HOLMAN Mr. Holman added that PennDOT is assisting in this and they want to see this done.

5. CONSENT AGENDA

- A. Regular Payables as Detailed in the Payable Listing of April 10, 2008**
- B. Board of Supervisors Regular Meeting Minutes – March 27, 2008**

**MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

6. ACCOUNTS PAYABLE

SCHENCK Chairman Schenck noted in Mr. Holman's supplemental report he requested the Board to approve the transfer of funds in the amount of \$3,400 from Springettsbury's Fire Fund over to York Area United Fire and Rescue to help pay for the identification packages on the vehicles.

HOLMAN Mr. Holman noted that he would need an authorization to transfer the funds that were budgeted for the proper decals on the fire trucks. He reported that Spring Garden had authorized the transfer of their funds for this as well.

SCHENCK Chief McCoy had provided a spreadsheet of the detail of the decal work and costs per vehicle. He commented that the numbers seemed to be less than those he had seen previously.

MCCOY Chief McCoy responded that the costs had come down slightly.

MR. BOWMAN MOVED TO AUTHORIZE THE TRANSFER OF FUNDS IN THE AMOUNT OF \$3,400 FROM THE FIRE FUND #22 TO THE YORK AREA UNITED FIRE AND RESCUE SERVICE FOR IDENTIFICATION OF VEHICLES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman asked for approval of application for payment to Johnson Construction Company #8 for the Grit Removal project in the amount not to exceed \$73,124.60. This was reviewed and recommended by Buchart-Horn and Mr. Hodgkinson.

MR. DVORYAK MOVED TO APPROVE THE APPLICATION FOR PAYMENT #8 IN THE AMOUNT NOT TO EXCEED \$73,124.60. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Purchase Three Police Vehicles – Two (2) 2008 White Ford Crown Victories and One (1) 2008 White Ford Explorer 4x4 XLT Under State Contract from Warnock Chevrolet for a total cost not to exceed \$64,716.08

SCHENCK Chairman Schenck noted that item A was under the state contract so no bidding was required.

HOLMAN Mr. Holman reported that they checked with both Winner Ford and Warnock to see which price was best. They were within a few thousand dollars of each other, but Warnock offered the best price.

DVORYAK Mr. Dvoryak asked whether they were budgeted.

HOLMAN Mr. Holman responded that they were budgeted.

SCHENCK Chairman Schenck asked where the old vehicles would go.

HOLMAN Mr. Holman responded that a list would be prepared for a bid sale.

MR. DVORYAK MOVED TO AUTHORIZE THE PURCHASE OF THREE POLICE VEHICLES AS OUTLINED IN THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. T. R. Stoner – Change Order No. 1 – Penn Oaks Park Project (mitigation of wet seep area) in an amount not to exceed \$5,629.

HOLMAN Mr. Holman explained that item B related to a drain in the parking area. During some digging they encountered a wet seep area, and as a result they are piping it so that there is no damage to the parking area.

MR. BOWMAN MOVED TO APPROVE CHANGE ORDER NO. 1, PENN OAKS PARK PROJECT, MITIGATION OF WET SEEP AREA, IN AN AMOUNT NOT TO EXCEED \$5,629. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Enter into Line Painting/Pavement Marking Contract

SCHENCK Chairman Schenck asked Mr. Holman to explain how this would work with all the municipalities.

HOLMAN Mr. Holman responded that all the members of the Manager's Association in the various York County municipalities participated in the joint contract. They will advertise together for line painting to get the best price possible. He received the contract and PSX was the low bidder at \$140,659. It had been reviewed by Mr. Lauer and based on his review the numbers were a little less than last year's contract. He is very pleased with the contract.

SCHENCK Chairman Schenck asked how many municipalities participated.

HOLMAN Mr. Holman responded that nine municipalities participated. Mr. Lauer will be providing information regarding another joint contract as well.

MR. DVORYAK MOVED TO AWARD THE LINE PAINTING CONTRACT AND PAVING MARKING TO PSX, INC. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-06-12 (Revised) – York Business Center Revised Subdivision – Plan Expires (not applicable).

RAO Mr. Rao presented SD-06-12, York Business Center Subdivision, which was documented in his April 10, 2008 memorandum. He indicated that the action centered around a revision to the plan for Lots 5, 6, and 7. The Planning Commission had recommended approval of the plan in February 2007, and the Board of Supervisors had approved the plan in April, 2007. Mr. Rao presented a PowerPoint review of the project, which included the Plan History, Purpose of the Plan and a Revised Plan and Areas of Revision.

MACNEAL Attorney Stacey MacNeal, represented the former owner of the property, York Butterfly, LLC. She reported that when the property was transferred it was discovered that there was unallocated fee simple land, which would not be a problem as long as Concord Road continued in existence as it is right now. However, 50 years from now, that may change. The Township may want to abandon right-of-way and at that point the township would be looking for York Butterfly LP as the owner of the underlying fee simple if the correction was not made. She continued that it would not change the building envelope, anything about the site or the net area of the lot. It does change the gross area of the lot just by a very small amount, and most of it will be allocated to the eastern-most parcel, lot number 5.

SCHENCK Chairman Schenck asked whether Solicitor Rausch had reviewed the action.

RAUSCH Solicitor Rausch responded that he had no issue with the action.

MR. DVORYAK MOVED WITH REFERENCE TO THE SUBDIVISION PLAN FOR YORK BUSINESS CENTER, SD-06-12 (REVISED) TO APPROVE THE FINAL PLAN AS SHOWN ON PLAN SUBMITTAL SHEETS SP-1, SP-2, SP-8 AND SP-9 DATED NOVEMBER 27, 2006 WITH THE 5TH REVISION DATED FEBRUARY 20, 2008, WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-76 YORK BUSINESS CENTER SUBDIVISION PLAN, SD-06-12 (REVISED) WITH PLAN SHEETS NOTED DATED NOVEMBER 27, 2006, 5TH REVISION DATED FEBRUARY 20, 2008 BE RECORDED TO REPLACE PREVIOUSLY RECORDED SHEETS AS LISTED OF YORK BUSINESS CENTER SUBDIVISION PLAN SD-06-12.**
- **SALDO §289-76, NO PLAN SHALL BE RECORDED UNLESS ALL FEES FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS HAVE BEEN PAID IN FULL.**

MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-07-13 – Village Realty/Canterbury Courts – Plan Expires 6/24/08

RAO Mr. Rao presented LD-07-13, Village Realty/Canterbury Courts, as documented in a memorandum dated April 10, 2008. He stated that the planned project is

located at 100 Silver Spur Drive. He provided a PowerPoint presentation showing the Plan Highlights, Plan History, Project Location, Adjoining Zoning District R-1, Aerial Photo, Present Site, Existing Plan, Proposed Plan, Architectural Views and a concept likeness at Tanglewood Apartments. The Zoning Hearing Board had granted a variance from Zoning §325-120.B for the location of the trash dumpsters in the front yard on January 3, 2008. Planning Commission reviewed and recommended approval to the Board of Supervisors on March 20, 2008. Mr. Rao introduced Adam Anderson, Engineer from Gordon Brown Associates, engineer for the project.

ANDERSON Mr. Anderson stated that the biggest item related to waivers. The first waiver was for landscaping and buffer yard. In the southern portion of the lot against the Family Child Resources, there's an existing buffer yard.

SCHENCK Chairman Schenck asked what discussion the Planning Commission had about this waiver because those trees are not on this property.

RAO Mr. Rao commented that the lot is south of the property and not owned by Canterbury Courts. The Planning Commission had no problem with it.

ANDERSON Mr. Anderson noted that it was in the Flexible Development, and there is no requirement for buffering between those Flexible and Residential zones.

SCHENCK Chairman Schenck asked why a waiver would be needed.

RAO Mr. Rao responded that landscaping is to be provided on both sides of the property line.

LUCIANI Mr. Luciani commented that they had provided some landscaping on the site, but it wasn't a landscape buffer. There's an access easement on one side all defined by a written access agreement in place.

ANDERSON Mr. Anderson commented on the preliminary plan waiver; that it is a simple plan. Street lights are a modification since the ordinance requires street lights every 200 feet. There are lights existing on Silver Spur which provide plenty of lighting. TRG previously had completed a traffic impact study and the new development would provide only a minimal impact on traffic.

SCHENCK Chairman Schenck asked about the storm water.

LUCIANI Mr. Luciani responded that the new ordinance requires the developer to manage all the new impervious area for the apartments. The way the ordinance looks at overall traffic, it would require the developer to assume that the whole area was meadow and cut that by 50%.

SCHENCK Chairman Schenck commented that in this case it would make no sense.

LUCIANI Mr. Luciani agreed that it would be an undue hardship on the developer. There would be a minute decrease. He added that because of the changed ordinance, it allowed this to be slightly increased.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-07-13, VILLAGE REALTY/CANTERBURY COURTS, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:

- **WAIVER OF SALDO §289-10, PRELIMINARY PLAN SUBMISSION;**
- **MODIFICATION OF SALDO §289-36, STREET LIGHTS;**
- **WAIVER OF SALDO §289-21, TRAFFIC IMPACT STUDIES;**
- **WAIVER OF SALDO §289-24, FEASIBILITY REPORT ON SEWER AND WATER FACILITIES;**
- **MODIFICATION OF SALDO §289-35, LANDSCAPING AND BUFFER YARDS;**
- **WAIVER OF STORMWATER, §281-7.D, FUTURE RUN OFF VOLUME**

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-07-13, VILLAGE REALTY/CANTERBURY COURTS, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-12.C, FINAL PLANS PROCEDURE;**
- **SALDO §289-13.A, FINAL PLANS SPECIFICATIONS;**
- **SALDO §289-76, FEES;**
- **GENERAL – THE STREET SIGN WILL BE RELOCATED OUTSIDE OF THE SIGHT TRIANGLE AT THE CORNER OF SILVER SPUR DRIVE AND THE DRIVEWAY ENTRANCE.**

MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

BOWMAN Mr. Bowman stated that he read about a serious pot hole on Mt. Zion Road hill at Druck Valley in the Letters to the Editor column in the newspaper. He asked whether that was PennDOT's responsibility.

HOLMAN Mr. Holman responded that it is PennDOT's responsible; however, he and Mr. Lauer will be meeting with PennDOT maintenance to discuss several road issues. They are planning to re-do Mt. Zion and Market to North Sherman Street.

BOWMAN Mr. Bowman noted that he had received some complaints.

HOLMAN Mr. Holman commented that Mt. Zion Road was already under construction. They're already beginning to lay pipe and raise the manholes.

SCHENCK Chairman Schenck stated that he had received a complaint about the manholes on Concord Road being too low.

LUCIANI Mr. Luciani responded that Concord Road east of Mt. Zion was re-paved. Manholes are normally raised 1-1/2 inches.

HOLMAN Mr. Holman indicated that they will visit the area and check.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had submitted his written report. He added that East Manchester would like to do joint bidding with Springettsbury on the upcoming road materials. In order to do that there must be an Inter-Governmental Cooperation Agreement. The Solicitor for East Manchester will be drafting that. An ordinance is required as well. If this works well there might be opportunities in the future to do some more joint bidding. It makes sense to get an ordinance in place and that way the township would just have to do agreements each time. He requested authorization to advertise the ordinance before the next meeting to so that the Board could review it. It would be generic.

HOLMAN Mr. Holman added that he had discussed the subject with Mr. Lauer, who had talked to West Manchester authorities, and they want to do some joint bidding. If this works other municipalities will be looking at joint bidding.

Consensus was to move forward with advertisement of an ordinance for an Inter-Governmental Cooperation Agreement.

11. MANAGER'S REPORT

HOLMAN Mr. Holman had provided his regular and supplemental reports. He noted an additional item for Old Business with a request of the Board to do two interviews for appointments to the Recreation Board prior to the next meeting.

SCHENCK Chairman Schenck noted that Supervisor Bishop asked if that could be scheduled prior to the next meeting. He asked Mr. Holman to let the Board know what time.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-35 – Met-Ed Upgrade of Street Light (Pole 29841-23608 at 2219 Dixie Drive)

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 08-35, MET-ED UPGRADE OF STREET LIGHT AT 2219 DIXIE DRIVE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-36 – DCED Grant Application to Help Offset Start-Up Personnel Costs for YAUFRR.

SCHENCK Chairman Schenck stated that item B is part of an application for a DCED grant to offset start up costs for York Area United Fire and Rescue, and the matching portion of this was roughly \$13,000. Springettsbury's portion would be about \$7,600.

HOLMAN Mr. Holman stated that the township would take the lead position on the application. DCED requested that Springettsbury submit this on behalf of the YAUFR, as opposed to United Fire submitting it. The amount was budgeted in the salary and wages. This is the first of two with the second coming in about June or July for the operating expenses.

MR. BOWMAN MOVED TO APPROVE RESOLUTION 08-36, DCED GRANT APPLICATION TO HELP OFFSET START UP PERSONNEL COSTS FOR YAUFR. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 08-37 – Amending Springettsbury Township Comprehensive Plan to Include Appendix A (Comprehensive Recreation, Park and Open Space Plan).

WENDEL David Wendel thanked the Board for supporting the initiative. He also thanked members of the Study Committee, of whom a few were present: Steve Wolf, Sherry Nichols, and Charles Wurster for their work over the last year and helping to develop a plan. He indicated that Ann Yost of YSM, lead consultant for the project, was present as well.

YOST Ms. Yost reported that they had been joined by Kise, Straw and Kolodner for the Recreation Park and Open Space Plan together. It is a component of the Township's recently adopted Comprehensive Plan. The purpose of the project was to create a vision for parks to take the township into the future to serve the recreation needs of its citizens. In doing so a vision was created for recreation in the township. She read the vision in its entirety, which guided the goals, recommendations and the objectives. They studied the physical features, the trails, the greenways, as well as the management, personnel, programs, services, financing and marketing of recreation. In addition, they reached out to the community with public work forums. They met with sports groups, seniors, and teens. They had a public meeting and through the newsletter they did a survey as well. The plan identified a blueprint of the future for the township:

1. Growth of park and recreation department. Right-size it for the population in the community so they can deal with all the opportunities and challenges associated with parks and recreation.
2. Obtain more park land. Based on the 2000 population and using the national standard of 10.5 acres per 1,000 Springettsbury has a deficit based on that 2000 population of 125 acres.

HOLMAN Mr. Holman noted that would be excluding the county park areas.

YOST Ms. Yost stated he was correct. She added that in a typical assessment of park land, passive recreation is not included. Passive recreation is based on the resource, acreage, scenic view, and a natural spring, etc. The population-based standard is for active recreation because that's what drives the ball fields, the playgrounds and other areas. She continued:

3. To formalize a maintenance management system to augment the commitment to capital investment. That is basically writing it down, systemizing maintenance throughout the parks.
4. Expanding the programs and services as the department is grown in right size.

Ms. Yost concluded that those are the four overarching blueprint items that will help to achieve the vision for the township. The plan does have six specific goals in the categories listed, objectives, recommendations, implementation schedule and the capital improvement plan as well.

WURSTER Charles Wurster thanked the Rec Board, as well as the overall committee that worked on this process. This was a project that came out also of the township recreation board and was brought in to include some various members of the community. It also involved sports groups and they were able to take a lot of their feedback and understand the sensitivity of their need for greater fields and reflect it in this comprehensive plan. Additionally, planning takes into consideration open space, which is an important part of the township in consideration of the future needs. Planning and management of that open space is included as part of this effort to dovetail with the existing comprehensive plan. As a group they heartily endorse the plan and recommended its approval and adoption.

SCHENCK Chairman Schenck thanked Mr. Wurster and Ms. Yost for her brief overview of what was a lot of work. He indicated it had been properly advertised and a Public Hearing was held earlier this date.

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 08-37 AMENDING THE SPRINGETTSBURY TOWNSHIP COMPREHENSIVE PLAN TO INCLUDE APPENDIX A. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Advertise Ordinance Rescinding No Parking Zone on Pleasant View Drive, between Marion Road and Chronister Street.

SCHENCK Chairman Schenck indicated item D involved advertisement of an ordinance to remove a No Parking zone. He could not understand why one was ever there.

HOLMAN Mr. Holman noted that a review of the history revealed that there had been bands, concerts and activities in that area, which was why there had been a No Parking zone on one side. He indicated that Mr. Lauer remembered it.

ESHBACH Chief Eshbach added that there had been a park there years ago.

MR. BOWMAN MOVED TO AUTHORIZE ORDINANCE RESCINDING NO PARKING ZONE ON PLEASANT VIEW DRIVE BETWEEN MARION ROAD AND CHRONISTER STREET. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Curfew Ordinance

SCHENCK Chairman Schenck stated that the ordinance had been circulated throughout the county. The Board had been provided a copy of the current ordinance, and Springettsbury's fines are more than what was proposed.

HOLMAN Mr. Holman responded that Chief Eshbach had provided feedback. Other townships have not determined their position on this matter. The township had been asked to review it. Mr. Holman indicated he was going to take it to the Springettsbury Small Business Association to get their comments.

SCHENCK Chairman Schenck indicated he did not object to doing more research. In his opinion it was not something where there had been a curfew issue. He asked Chief Eshbach for his comments.

ESHBACH Chief Eshbach responded that they do have curfew violations that occur regularly under the current ordinance. He did not think the intent of the curfew was to impact a family-oriented business like Mr. Brenneman's. He indicated he could see Mr. Brenneman's point. He stated that there are "hooligans" in Springettsbury Township and the Police Department does deal with them under the current ordinance. If somebody leaves a place at 12:05 a.m. and is under the age of 18, and the police would stop them for speeding, they would be in violation of the curfew. They must be accompanied by a responsible adult. He stated that the ordinance would have to be uniform because the "hooligans" would just leave one municipality and go to the next.

SCHENCK Chairman Schenck commented that he was not hearing an overwhelming call to bring the time down to 11 o'clock or that Midnight is a problem.

ESHBACH Chief Eshbach responded that the curfew time does not match the Jr. Driver's License program. It's off by about an hour. He was not opposed to it being moved but at the same time he understood.

- DVORYAK** Mr. Dvoryak asked whether a young person must have a Jr. License until they are 18.
- ESHBACH** Chief Eshbach stated that the requirements include going to Driver's Ed prior to the 18th birthday.
- SCHENCK** Chairman Schenck stated that there are several options. The Board could request that Mr. Holman do more research or the Board could make a decision now to move forward without the research, or the subject could be dropped.
- DVORYAK** Mr. Dvoryak indicated he thought it would be a good idea to get as much information as possible. He was in favor of discussing it with other members of the community.
- BOWMAN** Mr. Bowman preferred that over going forward with it. He had heard some good points.
- SCHENCK** Chairman Schenck agreed that more information was needed, and he added that there was no obligation or time line.
- SCHENCK** Chairman Schenck asked for an update on the pilot program for standby generators for traffic lights.
- HOLMAN** Mr. Holman responded that there had been activity and two locations had been identified.
- LUCIANI** Mr. Luciani stated that Mr. Lauer was coordinating the project with Milt's Repair Service, and it was moving forward.
- HOLMAN** Mr. Holman stated that one of the locations that is not included is Mt. Zion and Market because that light was scheduled into the improvement project.
- LUCIANI** Mr. Luciani stated that they identified Route 30 and North Hills Road and Route 30 and North Sherman Street. The quotes are under \$3,000.
- SCHENCK** Chairman Schenck asked whether this would be written into the specifications moving forward.
- LUCIANI** Mr. Luciani responded that they intend to adjust the construction material standards. There are a number of other changes including SuperPav, backup generators, 12-inch LED lights, costs of battery backups versus emergency generators, etc.

14. NEW BUSINESS

**A. Acknowledge Receipt of Letter of Resignation from Planning Commission Member
(William Bender).**

SCHENCK Chairman Schenck acknowledged that a member of the Planning Commission was moving out of the area and had to resign. The Board accepted the resignation of Mr. William Bender with regret. He requested that a letter of thanks be sent to him.

HOLMAN Mr. Holman responded that a letter was sent to him.

15. ADJOURNMENT

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

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 27, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 27, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

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

ALSO IN

ATTENDANCE John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment Plant
Angela Liddick, Community Development Coordinator
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Teri Gilfillan, Grants and Public Relations/Events Specialist
Sandy Ratcliffe, Finance Department
Dave Eshbach, Chief, Police Department
Robert McCoy, Chief, YAUFR
Dan Hoff, YAUFR
Barry Emig, Deputy Chief, YAUFR
Jean Abrecht, 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 welcomed everyone and stated it was nice to see all the Fire Chiefs present. He reminded everyone to vote during the April primary election. He led the Pledge of Allegiance.

B. Presentation of the Global Fire Prevention Grant by Representatives of FM Global

SILBAUGH Mr. Harold Silbaugh, Engineer and Representative of FM Global Property and Insurance Company, stated that his company is a leader in property insurance worldwide. He is the York County

Fire Prevention Grant Program Coordinator. The grant program is used to support community efforts toward fire prevention and recovery. He stated that it was his pleasure to present a check for \$1,800 to the York Area United Fire and Rescue for some additional training and equipment purchases. He thanked them for their efforts and congratulated them.

SCHENCK Chairman Schenck asked for additional information about how the selections are made and the number of awards given.

SILBAUGH Mr. Silbaugh stated that the grant program is an open program to 501(c) 3 organizations that focus efforts on fire prevention. An application form can be downloaded from the website and completed with an indication of the purpose for the money. There is a fire prevention committee that reviews the applications and makes the decision on full funding or partial funding. Every year the amount of the award is different depending on how many applications are received. They really like to award money for education and training programs and he was glad to see the people in York County had taken advantage of the program.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session was held prior to the meeting at 6:30 p.m. to discuss litigation regarding the A.A. Meyers lawsuit. Executive Sessions had not been scheduled at the conclusion of the board meeting.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober stated that his written report had provided up-to-date information. Progress is moving along on the Grit Removal project. A proposal for the BNR project will be acted upon later in the Agenda for the UV system. The intent is to include that into the bid.

SCHENCK Chairman Schenck noted some work being done on North Hills Road near the new Rutter's Store. He thought it related to the township sewer line, and it appeared that there was a lot of pumping being done.

SCHOBBER Mr. Schober responded that he was not aware of any as well.

HODGKINSON Mr. Hodgkinson added that he was unaware of any work being done in that area.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani stated that he had submitted his written report. He stated that the pumping at North Hills Road was the result of Rutter’s widening the road. As part of that widening they have to widen the bridge that carries the creek underneath North Hills. Mr. Luciani thought that they were pouring some foundations and doing some by-pass pumping as they are excavating the foundations for that bridge. He did not think it had anything to do with the sewer. They are discharging it to a sediment trap downstream on Mike Snyder’s property. That is cleaning up the water and letting it back into the creek.

Mr. Luciani reported that he and Mr. Holman met with the Army Corps of Engineers with regard to wetland violations ongoing in the township by various developers. He indicated Mr. Holman would provide a full report to the board.

Mr. Luciani reported that several years ago Springettsbury Township applied to the Pennsylvania Department of Transportation for Annual Road and Bridge Safety Improvements. He provided a brief PowerPoint presentation in preparation for submittal of the Concord Road improvements as a candidate for the award at the PSATS Conference in May.

GURRERI Mr. Gurreri asked whether this would be in 2008 or 2009.

LUCIANI Mr. Luciani responded that the award must be made within the year that the project was constructed, and this will be for the 2008 award. His PowerPoint slides included: Project Outline, Vision, History, Existing Tract and At-Grade Crossing, Previous Location Map, Previous Conditions, Present Location Map, Project Coordination, Obstacles, Design Process and Coordination, Positive Effects of the Project, Economic Growth, Before and After Photographs, and the At-Grade Crossing. Mr. Luciani elaborated on the traffic studies, which indicated that recent traffic counts on Concord Road are up 50% to 8500 vehicles a day. He reported that he could trace the concept of Concord Road back to 1985 on a master plan in the Springettsbury’s files. It presented economic stimulus to the township. Mr. Luciani stated that the

criteria and results will allow the township to be a contender for the award.

GURRERI Mr. Gurreri commented that Concord Road was a great addition to Springettsbury Township.

5. CONSENT AGENDA

- A. Johnston Construction Company – Grit Removal Improvements – Application for Payment No. 7 in the amount of \$800,234.96.**
- B. B and R Electrical Contractors, Inc. – Grit Removal Improvements – Application for Payment Nos. 5 & 6 in the total amount of \$148,246.73.**
- C. T. R. Stoner – Penn Oaks Park Project – Application for Payment No. 2 in the amount of \$18,284.40.**
- D. Regular Payables as Detailed in the Payable Listing of March 27, 2008.**
- E. Acknowledge Receipt of February 29, 2008 Treasurer’s Report**
- F. Acknowledge Receipt of February 19, 2008 York Area United Fire & Rescue Commission Meeting Minutes.**
- G. Board of Supervisors Regular Meeting Minutes – March 13, 2008**

MR. GURRERI MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

- A. Springettsbury Township Volunteer Fire Company Request for Reimbursement for Fourth Quarter 2007 Expenses in the amount of \$66,426.37**

HOLMAN Mr. Holman stated that he and Chief McCoy had reviewed the submittal. He provided a summary of the detail for the Board’s review. The Fourth Quarter payment is always made out of the 2008 budget. One thing he had noticed was that repair costs for Engine 17 reflected about 50% of the total expenditures. Chief McCoy had taken some action to review those repairs and as a result they locked the transaxle up on the ladder truck and that had resolved much of the problem. He stated that he appreciated the Chief’s action. He added that they are looking at how best to contract out for repairs.

SCHENCK Chairman Schenck indicated that had been one of his concerns. It wasn’t that people weren’t putting their best effort forward. It was something that wasn’t in their normal scope of work to be able to take on the maintenance. With the clear ownership path and

responsibility for expenses, Chairman Schenck was looking for improvement in that area.

MR. DVORYAK MOVED TO APPROVE THE REQUEST FOR REIMBURSEMENT FOR FOURTH QUARTER 2007 EXPENSES IN THE AMOUNT OF \$66,426.37. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Advertise for Sealed Bids for Police Pistols.

SCHENCK Chairman Schenck asked whether the items had been budgeted.

HOLMAN Mr. Holman responded that the item was budgeted in the 2008 budget. The Chief has prepared the specifications, which were reviewed both by Mr. Holman and Solicitor Rausch and are ready for bid.

MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE FOR SEALED BIDS FOR POLICE PISTOLS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Approve Professional Services Agreement with Buchart-Horn, Inc. for Design of an Ultraviolet Disinfection System at a cost not to exceed \$66,800.

SCHENCK Chairman Schenck asked Mr. Schober whether the Ultraviolet Disinfection System would reduce the chlorine use.

SCHOBBER Mr. Schober responded that it will eliminate chlorine use.

MR. GURRERI MOVED TO AUTHORIZE TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH BUCHART-HORN, INC. FOR DESIGN OF AN ULTRAVIOLET DISINFECTION SYSTEM AT A COST NOT TO EXCEED \$66,800. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

HOLMAN Mr. Holman reported that, as Mr. Luciani had mentioned, they met with the Army Corps of Engineers on two different questionable properties. The Corps was satisfied that one met the requirements they had provided and the other one will be receiving a Notice of Enforcement from the Corps of Engineers for cleanup. He thanked Mr. Luciani for meeting with him, as they had no advance notice that they were coming.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri reported that he and Messrs. Luciani, Dvoryak and Holman attended the Economics Breakfast. The BRAC Initiative at Aberdeen and its affect on York County was discussed. It is intended to create 8200 new jobs and will add an economic boost to the area.

HOLMAN Mr. Holman added that additional schools will be built and there will be more traffic, but the jobs created, especially at the Aberdeen Proving Grounds are high quality and very professional jobs. A lot of the communications, key research and additional research programs are being moved to Aberdeen. They anticipate that the impact on York County will be approximately 5%.

GURRERI Mr. Gurreri noted that it is only about a 45-minute drive. They expect to have it completed by 2011, which is a short time frame.

10. SOLICITORS REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

SCHENCK Chairman Schenck mentioned that, although he had complimented privately, he wanted to publicly compliment the individual on staff who caught on to the fact that someone tried to place a home on township property. Chairman Schenck appreciated the catch.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated he had nothing to add to his written report.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-34 – Establishing Routine Inspection Schedule of On-Lot Sewage Disposal Systems

SCHENCK Chairman Schenck stated that Resolution No. 08-34 establishes routine inspections of on-lot sewage systems. He recalled that several years ago this was a big topic. He thought it was in place and wondered whether it was being changed at all.

HOLMAN Mr. Holman indicated that the ordinance requires that every few years an on-lot inspection schedule must be adopted. No ordinance had been adopted in some time. Messrs. Hodgkinson

and Hengst brought this to Mr. Holman's attention that it a resolution must be adopted. Following adoption, the ordinance will be reviewed for amendment to resolve the problem. Adoption will enable the township to continue doing the on-lot sewage inspections.

SCHENCK Chairman Schenck asked whether the three years was a change.

HOLMAN Mr. Holman responded that the three years is in accordance with the ordinance.

GURRERI Mr. Gurreri noted that it was the same thing done before.

HOLMAN Mr. Holman responded that it was the same.

BISHOP Mr. Bishop noted that the action was basically just a resolution that points to the ordinance

HODGKINSON Mr. Hodgkinson reported that the problem was that the ordinance specified when the year started. The township was separated into three zones: zone 1, zone 2, zone 3 and specified zone 1 would be inspected in 2001, etc. Then when we came to the end of what the ordinance stated, there was no language that indicated to continue inspection of the systems every three years.

SCHENCK Chairman Schenck commented that it was assumed but it just didn't state it.

HOLMAN Mr. Holman added that it will be set by the ordinance. He requested action on the resolution.

MR. BOWMAN MOVED TO APPROVE RESOLUTION 08-34 ESTABLISHING ROUTINE INSPECTION SCHEDULE OF ON-LOT SEWAGE DISPOSAL SYSTEMS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business for discussion.

14. NEW BUSINESS

A. Authorization to Transfer Ownership of Two Fire Command Vehicles from Springettsbury Township to York Area United Fire and Rescue Services VIN Nos.: 1FMPU16L1YLB67628 and 1FMPU165666BO6322.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 27, 2008
APPROVED**

SCHENCK Chairman Schenck asked whether Mr. Holman was just looking for authorization.

HOLMAN Mr. Holman responded that he was correct. He requested the Board's authorization. He added that there is an assignment to be signed following the action.

SCHENCK Chairman Schenck asked whether there was any debt on the vehicles. He recalled that they were given.

HOLMAN Mr. Holman responded that there is no debt on the vehicles.

MR. GURRERI MOVED TO APPROVE THE TRANSFER OF OWNERSHIP OF TWO FIRE COMMAND VEHICLES FROM SPRINGETTSBURY TOWNSHIP TO YORK AREA UNITED FIRE AND RESCUE SERVICES (VIN NOS: 1FMPU16L1YLB67628 AND 1FMPU165656BO6322). MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:30 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 17, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

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

**ALSO IN
ATTENDANCE**

John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Harish Rao, Community Development Director
Betty Speicher, Director of Human Resources
Sandy Ratcliffe, Finance Department
Dave Eshbach, Chief, Police Department
Bob McCoy, Chief, YAUFRR
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 led the Pledge of Allegiance. He asked that the men and women in the armed services be remembered in prayer.

B. Loyalty Oath – Fire Police Officer Joe Rezler

SCHENCK Chairman Schenck introduced Joe Rezler, who had joined the Springettsbury Township Volunteer Fire Company as a new resident of the township. He will be assisting with the Fire Police activities. Chairman Schenck administered the Loyalty Oath to Mr. Rezler.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck stated that no Executive Sessions had been held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that main building was under roof for the Grit Removal project. The DEP Part II permit application for the construction of the BNR Improvement project was completed and submitted. DEP has four months to review it. However, they had been completing them more quickly. The design for the Isolation Gate for the Codorus Interceptor was completed and forwarded to the staff.

B. Civil Engineer – First Capital Engineer

LUCIANI Mr. Luciani reported that plan reviews were completed for Yorkshire Elementary along with a thorough zoning review. Yorkshire will be evaluating their plan to determine the necessity for relief from the Zoning Hearing Board. Their traffic study was started. The plan will formally be submitted to the township for review. Mr. Luciani reported that Solicitor Rausch has the packet of information to be submitted to Norfolk Southern. A meeting will be held to develop a strategy to respond to their concern about the grade crossing for Davies Drive Extended.

HOLMAN Mr. Holman stated that the township will be reviewing the acceptance of some rights-of-way that were dedicated between Locust Grove Road and Mt. Zion Road. Plough Harbor will be assisting Mr. Luciani with that project.

LUCIANI Mr. Luciani reported that there will be resolutions for accepting sections of rights-of-way provided by developers. The department advised Mr. Holman and him that they had allocated close to \$1 million for rights-of-way taking.

HOLMAN Mr. Holman added that it will provide some benefit to the township for the Market Street/Mt. Zion Road project.

BISHOP Mr. Bishop asked what parcel was involved with 4010 East Market Street.

LUCIANI Mr. Luciani responded that it was the old WaWa parcel extending to Hallam. To the east of that there is another section of ground where they contemplate building a soccer blast type of facility.

5. CONSENT AGENDA

- A. TMI Commercial, Inc. – Grit Removal Project – Application for Payment No. 2 in an amount not to exceed \$53,298.80**
- B. Johnston Construction Company – Grit Removal Project – Application for Payment No. 6 in an amount not to exceed \$184,320.42**
- C. Regular Payables as Detailed in the Payable Listing of March 13, 2008**
- D. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 4/26/08 (New Plan Date 7/26/08)**

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

- E. LD-07-11 – Time Extension – 84 Locust Grove Road – Plan Expires 4/11/08 (New Plan Date 7/11/08).**
- F. SD-08-01 – Time Extension – Whiteford Investments (Diehl Suzuki) – Plan Expires 4/28/08 (New Plan Date 7/28/08)**
- G. LD-08-01 – Time Extension – Whiteford Investments (Diehl Suzuki) – Plan Expires 4/28/08 (New Plan Date 7/28/08)**
- H. LD-05-18 – Time Extension – Market Street Commons – Plan Expires 4/26/08 (New Plan Date 7/26/08).**
- I. SD-05-13 – Time Extension – Market Street Commons – Plan Expires 4/26/08 (New Plan Date 7/26/08)**
- J. SD-06-11 – Time Extension – 3308 Becker Tract Residential – Plan Expires 4/25/08 (New Plan Date 7/25/08)**
- K. Board of Supervisors Regular Meeting Minutes – February 28, 2008**

MR. GURRERI MOVED TO APPROVE CONSENT AGENDA A.THROUGH K. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

- A. Springettsbury Township Volunteer Fire Company Request for Reimbursement for Second and Third Quarter 2007 Expenses in the amount of \$268,274.46**

SCHENCK Chairman Schenck commented on Mr. Holman’s summary of the Volunteer Fire Company’s request for reimbursement. Mr. Holman had pointed out that the number was definitely higher than usual; however, an analysis was done and Mr. Holman reported that the amount is appropriate.

HOLMAN Mr. Holman responded that there were three major issues that occurred in the Volunteer Fire Company: (1) a roof problem, (2) one truck needed major repairs and (3) included was the real estate transfer tax payment for the fire buildings. The transfer tax was restored into the Fund 22 fire fund budget. The requested action authorizes a reimbursement for the receipts for the 2nd and 3rd quarters of 2007 in the amount of \$127,987.53 and an increase of the budget to a total amount of \$268,275.

MR. BOWMAN MOVED TO APPROVE THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY REQUEST FOR REIMBURSEMENT FOR THE SECOND AND THIRD QUARTER OF 2007 EXPENSES IN THE AMOUNT OF \$127,987.53 AND AN INCREASE OF THE TOTAL AUTHORIZED BUDGET IN THE AMOUNT OF \$268,274.46. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

8. SUBDIVISIONS AND LAND DEVELOPMENT

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

**A. LD-07-14 – Furniture Row, Lot #7 of York Business Center – Plan Expires 5/21/08
(Action).**

RAO Mr. Rao presented the final plan for Furniture Row USA at York Business Center along Lot #7, LD-07-14. He provided background information documented in a March 13, 2008 memorandum. Highlights of the plan include a new 57,640 square foot building for showrooms of furniture and warehouse space for the furniture. Mr. Rao provided a PowerPoint presentation including Plan History, Project Location, Adjoining Zoning District of Flexible Development, Aerial Photo, Present Site Views, Existing Conditions, Proposed Plan, Northern and Southern Portions and Proposed Landscaping. He identified several waivers and conditions on the plan.

SCHENCK Chairman Schenck asked about the document provided to the Board identifying an attachment to the deed.

BIEBER Mr. Tim Bieber, NuTec Engineering, developer explained that during their meeting before the Planning Commission, one of the things the Commission wanted was the assurance of maintenance of the common area. The document indicates how all the lot owners will share in the responsibility of the common maintenance. During the subdivision it was not necessary to have maintenance issues in place.

SCHENCK Chairman Schenck asked whether everything had been reviewed.

RAO Mr. Rao responded that the Solicitor had received a copy and it was recorded.

BIEBER Mr. Bieber stated that it was a private agreement, but the Planning Commission wanted to make sure it was in place so there were no concerns.

HOLMAN Mr. Holman asked whether it was with the deed or with the plan.

BIEBER Mr. Bieber responded that it was a recorded document unto itself.

HOLMAN Mr. Holman asked where it would be filed. As an example, if he were buying the property and was not sure where it was filed, would it be with the plan.

RAUSCH Solicitor Rausch responded that it would be found in a title search.

SCHENCK Chairman Schenck stated that he wanted to be sure it followed the plan and the land.

RAUSCH Solicitor Rausch responded that he was comfortable with it.

BIEBER Mr. Bieber added that the York County Conservation District's approval was received, and that was one of the conditions.

MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-07-14, FURNITURE ROW USA, LLC, TO APPROVE THE FINAL PLAN WITH THE FOLLOWING WAIVERS AND MODIFICATIONS:

- **WAIVER OF SALDO §289-13.A – FINAL PLAN SPECIFICATIONS;**
- **WAIVER OF SALDO §289-41.I.3.D – ACCESS DRIVES;**
- **MODIFICATION OF SALDO §289-35.C – STREETScape BUFFERS.**

WITH REFERENCE TO LAND DEVELOPMENT PLAN LD-07-14, FURNITURE ROW USA, LLC MR. DVORYAK MOVED TO APPROVE THE FINAL PLAN WITH THE FOLLOWING CONDITIONS:

- **SALDO §289-12.A.5.C – DEVELOPER WILL PROVIDE A COPY OF THE YORK COUNTY CONSERVATION DISTRICT’S LETTER OF ADEQUACY;**
- **SALDO §289-38 – DEVELOPER MUST SHOW PROOF OF OBTAINING AND FILING A CORPORATE SURETY BOND WITH THE TOWNSHIP;**
- **SALDO §289-76 – NO PLAN SHALL BE RECORDED UNLESS ALL FEES FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS HAVE BEEN PAID IN FULL.**

MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

GURRERI Mr. Gurreri commented that it was nice to see the property being used.

SCHENCK Chairman Schenck thanked Mr. Bieber and added that, from the Board’s perspective, they always like to see clean plans.

9. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri noted that the year-end report from the firemen and EMT’s was excellent and they did a great job on it.

SCHENCK Chairman Schenck added that there is a lot of good information in the report.

BOWMAN Mr. Bowman asked whether the collection of yard waste had started.

HOLMAN Mr. Holman stated that it began March 1, 2008.

BOWMAN Mr. Bowman commented that yard waste was not collected in Haines Acres.

SCHENCK Chairman Schenck asked about an item in Mr. Rao’s report regarding the Stein property on Cinema Drive and Eastern Boulevard. He noted that this was the property involved in the abandonment matter. He asked whether the property maintenance issue for which she was cited was on the section that was abandoned.

RAO Mr. Rao responded that he was correct. He added that the Pasch property line extends to the woods.

GURRERI Mr. Gurreri noted that during a previous meeting it had been brought up about Concord Road and the light only allowing three cars to go through. Some

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

changes were supposed to have been made; however, someone indicated it still only allows three cars through. Mr. Gurreri had spoken with Chief Eshbach, who reported that once it was set it doesn't change. However, if motorists are slow, not as many will get through. Mr. Gurreri simply wanted the complaint mentioned in the minutes.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing further to report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that items reported in his Supplemental Report would be handled during New Business. The only other item he wanted to report is that they had been collecting a lot more signs. They had collected two truckloads this past weekend alone including ones that people had to stand and hold.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-33 – Authorizing Approval of Temporary Budget for York Area United Fire and Rescue Services.

SCHENCK Chairman Schenck commented for clarity that this is a three-month budget and gives the YAUFRR money to operate for the next three months. He added that more changes will come; for example, salaries for the paid firefighters, which will not be included until there is resolution in that area.

HOLMAN Mr. Holman noted that they all are paid by the township at this time.

GURRERI Mr. Gurreri commented on the thoroughness of the budget.

SCHENCK Chairman Schenck complimented Sandy Ratcliffe for the nice job. He added that it was a lot to pull together.

MR. GURRERI MOVED TO APPROVE RESOLUTION 08-33, AUTHORIZING APPROVAL OF TEMPORARY BUDGET FOR YORK AREA UNITED FIRE AND RESCUE SERVICES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

There was no Old Business for discussion.

14. NEW BUSINESS

HOLMAN Mr. Holman reported that the Springettsbury Township Volunteer Fire Company approved the transfer of their existing fire vehicles to the York Area United Fire Rescue Service. He indicated that to affect the transfer of this equipment, the debt

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

would have to be paid on the existing equipment. There were three different loans, which have a total pay off figure as of March 25th of \$147,193.58. In order for this to move forward, authorization is needed to pay off that debt out of Fund 22 and authorization to increase Fund 22, which is the fire fund from a current budgeted balance of \$150,000 to \$270,200 in round numbers. The vehicles will then become an asset to be transferred from the Springettsbury Township side at their appraised value. Insurances will be set up for the vehicles.

DVORYAK Mr. Dvoryak asked why the debt could not be transferred along with the vehicles to YAUFRR.

HOLMAN Mr. Holman responded that the debt could not be transferred easily and would be costly due to the cost of legal fees. In accordance with the Charter Agreement, YAUFRR can not assume debt without the express approval of both municipal bodies. The township has always reimbursed the volunteers for this debt out of Fund 22, so the township would save the interest at 2%. The pay off will be paid by Springettsbury Township. The full value of the assets will be counted towards Springettsbury's portion of capital assets going into the YAUFRR.

DVORYAK Mr. Dvoryak asked whether Buracker & Associates had factored that figure into the study of costs.

SCHENCK Chairman Schenck responded that payoff of the debt had not been factored. However, the other side of that is Spring Garden will be titling over all of its trucks and engines for which they had fully paid.

DVORYAK Mr. Dvoryak stated that the township would not be responsible for any debt brought in by Spring Garden.

BISHOP Mr. Bishop stated that each township will be responsible for contributing its own equipment.

HOLMAN Mr. Holman commented that an easy example would be with the unfunded pension side obligations, which do not transfer in and stay the obligation of each of the municipalities until they are paid.

DVORYAK Mr. Dvoryak indicated he understood.

GURRERI Mr. Gurreri added that when Springettsbury contributes its equipment and Spring Garden does, there is a value.

BISHOP Mr. Bishop noted that Springettsbury still owns its percentage and Spring Garden still owns its percentage.

HOLMAN Mr. Holman added that if another municipality at some time in the future came in, they would have to do an industrial evaluation of all their equipment, etc. as part of their process to come into this.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

GURRERI Mr. Gurreri commented that when they buy a new truck that's a different story; it then becomes a 45%/55%

HOLMAN Mr. Holman added that any incurred debt by the YAUFRR must be 75% approved by both municipal governing bodies.

BISHOP Mr. Bishop noted that it is less of a financial transaction at this point than an opportunity to clean up a less than optimal situation really quickly and not have to ever have to deal with it again.

MR. GURRERI MOVED THAT THE SPRINGETTSBURY BOARD OF SUPERVISORS AUTHORIZE PAYMENT IN THE AMOUNT NOT TO EXCEED \$147,192.58 FOR RETIREMENT OF LOAN NUMBERS 18737, 19583 AND 18735. UPON TRANSFER OF TITLE OF ALL SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY VEHICLES TO THE YORK AREA UNITED FIRE AND RESCUE SERVICE. THE BOARD ALSO APPROVES THE AMENDMENT OF THE FIRE FUND, (FUND 22) 2008 BUDGET FROM \$150,000 TO \$270,200. MR.BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Tax Collector Reconciliation

SCHENCK Chairman Schenck indicated that the township had an opportunity to participate in a reconciliation with the Tax Collector and to share that with the two school districts, York Suburban and Central which are going to do this activity. They would be reviewing the same documents or transactions that would involve Springettsbury's taxes and a cost share was proposed in proportion to the revenue.

HOLMAN Mr. Holman indicated that each of the school districts is at about \$15,000 and the township is about \$8,000. Each one is a not-to-exceed cost. It is not anticipated, as the review begins, that it may be those amounts, but they want to be sure of a proper reconciliation.

BISHOP Mr. Bishop suggested discussing the reason why it needs to be done.

HOLMAN Mr. Holman responded that the last reports that the township received from the auditor and based on several meetings between the school boards and a meeting including the Tax Collector, there were some questions with regard to the reconciliation differences between what was turned over and exactly what was prior year taxes, what was post year, what was paid in advance, what was paid in arrears. There had been some questions about trying to reconcile this. The auditor, the Finance Officer and Mr. Holman recommended moving ahead with the reconciliation to clean up the records. Some of it was due to a delay in payment or turnover of tax funds during 2007 and several prior years.

BISHOP Mr. Bishop commented that the three entities will spend \$40,000 to \$50,000 in an attempt to clean up a mess created by the Tax Collector.

HOLMAN Mr. Holman responded that that would be a reasonable statement.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

- GURRERI** Mr. Gurreri stated that he had a problem with it. He thought it was the school board's problem. He did not think the township had the problem. Government works slowly in order not to make a mistake. Mr. Gurreri did not think it should be done because next year at the end of the four-year term in 2009, it would have to be done again.
- HOLMAN** Mr. Holman indicated that if the work is done now and properly on taxes following that, it should not need to be done in '09. He stated that the township had not received tax payments on schedule on time and have had to phone the Tax Collector to get the tax payments delivered. He had submitted a real estate summary report based on the '07 and one based on the '06 report. Funds had been received, but with no identification of what the funds are for since 8/24/07. The last reconciliation was 4/16/07.
- GURRERI** Mr. Gurreri noted that there had been an illness when that happened.
- SCHENCK** Chairman Schenck responded that he had attended the meeting, and a lot of documentation was presented. He stated that the funds come when a call is made, but there is a large gap in required reporting that is not being received. One thing he noted was that the Occupational Privilege Tax is at best equal to last year, and yet hundreds of jobs have been created in the township. Chairman Schenck stated that it was his personal opinion that the Board owed it to the taxpayers of Springettsbury Township.
- DVORYAK** Mr. Dvoryak voiced several questions that he would like answered before making a decision. He asked (1) whether there were other options available to the Board to pursue the matter; (2) is there any recourse on this to the Tax Collector for the cost to pursue it; and (3) what would the timing be of the audit and when it would start.
- HOLMAN** Mr. Holman reported that the auditor, which was selected by the school boards and recommended by the township auditor, will be able to commence immediately. As for the recourse a reconciliation is the next step in this process. Mr. Holman had discussed the potential reimbursable cost with Solicitor Rausch. The recourse will be based upon the result of the reconciliation.
- RAUSCH** Solicitor Rausch stated that some consideration should be given to putting the Surety on notice.
- SCHENCK** Chairman Schenck added that the school districts did.
- RAUSCH** Solicitor Rausch responded to Mr. Dvoryak's question that he would have to examine what the Surety Bond will cover, such as a loss or expenses related to the reconciliation and whether or not there is a loss.
- DVORYAK** Mr. Dvoryak indicated that the cost issue would not change his mind. He was curious more than anything.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

HOLMAN Mr. Holman indicated that the Surety Bond should be put on notice that there are concerns, which was an action that Solicitor Rausch would send out from his office.

RAUSCH Solicitor Rausch added that by putting the Surety on notice the Surety actually has authority to appoint a collector.

SCHENCK Chairman Schenck asked whether that was under the Code.

RAUSCH Solicitor Rausch added that in order to protect their interests under the law they have the authority that the governing body does not have if they feel that work needs to be completed.

DVORYAK Mr. Dvoryak indicated that he was satisfied.

GURRERI Mr. Gurreri asked whether there was an amount that seemed to be off.

HOLMAN Mr. Holman stated that the difference appeared to be approximately \$80,000. That does not mean that it will not reconcile, but it is out about \$80,000. This time last year the reconciliation was off by about \$12,000.

SCHENCK Chairman Schenck stated that procedurally there should be a motion to authorize participation in the reconciliation at a cost not to exceed \$8,000.

HOLMAN Mr. Holman added that the motion should include authorization for the Solicitor to place the Surety Bond company on notice.

DVORYAK Mr. Dvoryak commented that as a result of this process there should be an estimate for them to review the Mercantile Tax as well.

HOLMAN Mr. Holman agreed that they need to review it first before they can do that.

MR. DVORYAK MOVED TO AUTHORIZE THE TOWNSHIP TO ENTER INTO AN AGREEMENT WITH BOYER AND RITTER TO REVIEW THE REAL ESTATE TAX COLLECTOR RECORDS FOR A COST NOT TO EXCEED \$8,000 AND TO AUTHORIZE THE SOLICITOR TO PLACE THE BONDING COMPANY ON NOTICE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck stated that this was not easy for those who have been in the community for a long time.

GURRERI Mr. Gurreri added that the Tax Collector had done a great job for 40 years.

Safe Routes to School

SCHENCK Chairman Schenck asked about a notice concerning the Safe Routes to School in Mr. Holman's supplemental report.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

HOLMAN Mr. Holman responded that it was simply a notice to the Board since the next Manager's Report will not be issued until March 21st. A meeting will be held with the residents impacted by the York Suburban Safe Routes to School project on Haines Road. The meeting is scheduled for Saturday, March 29, 2008 at 10 a.m. in the municipal building. Mr. Holman reported that he had received telephone calls indicating that the residents are very happy that sidewalks are going in on Haines Road and also that the township had worked with PennDOT, the County and considered the trees.

Curfew Comments

SCHENCK Chairman Schenck brought forward the issue of the curfew that had surfaced around the county.

HOLMAN Mr. Holman stated that he had provided a copy of the current Springettsbury curfew ordinance, which is from Midnight until 5 a.m. The County Sherriff's office, Sgt. Copenhaver, will be making a presentation to the Manager's Association on the subject on March 20th to discuss concerns. Mr. Holman stated that, as President, he would be attending the meeting.

SCHENCK Chairman Schenck asked for any general comments from the Board to send with Mr. Holman. He thought that perhaps Chief Eshbach would review it and make recommendations.

GURRERI Mr. Gurreri noted that he had delivered papers when he was a young boy and he got up long before five a.m. to do his job. He asked whether there was any exemption for that type of work.

HOLMAN Mr. Holman responded that if a young person is working and out for a legitimate reason, yes, an exemption is in the ordinance.

BISHOP Mr. Bishop indicated his goal would be to get input from the police department.

Street Lights

HOLMAN Mr. Holman stated that a proposal for street lights had been received and had evolved from a presentation at the Manager's Meeting as a follow up from last year's Met Ed proposal of potential costs for street lights in 2010 and 2011. Concord Finance and the management company which handles repairs does a no-cost survey of all the street lights and will provide a cost analysis. Mr. Holman stated that he planned to review the proposal with Mr. Lauer to see whether it would make sense. He added that electric rates will be changing in 2010 and 2011.

SCHENCK Chairman Schenck stated that the example they provided indicated that the cost saving would not be seen for 20 years. After that their example is \$31,000 a year.

HOLMAN Mr. Holman stated that they had investigated that during the meeting. The \$31,000 in savings per year will be seen immediately.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 13, 2008
APPROVED**

15. ADJOURNMENT

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

Respectfully submitted,

John Holman
Secretary

ja

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 28, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE Nick Gurreri

ALSO IN

ATTENDANCE John Holman, Township Manager
Nicole Ehrhart, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Harish Rao, Community Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Chief, Police Department
Jean Abreght, Stenographer

1. CALL TO ORDER

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

A. Opening Ceremony

SCHENCK Chairman Schenck led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there were no Executive Sessions held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Dennis Crabill reported in the absence of Mr. Schober, who had submitted a written report. He stated that the Grit Removal Improvement project was moving forward.

BOWMAN Mr. Bowman noted that he had read where there was sewage leaking through the walls. He asked for further explanation.

CRABILL Mr. Crabill explained that with a concrete structure there will be cracks in the walls and seepage to the tank. This would not mean major leaking, but stain on the wall. They continue to check and evaluate and will be draining the tank to check the inside and outside.

B. Civil Engineer – First Capital Engineering

Traffic Light – Heritage Hills – Plymouth Road

LUCIANI Mr. Luciani reported two updates to his written report. He stated that he and Mr. Holman met with York Township and Windsor Township and Representative Saylor to discuss Mt. Rose Avenue Improvements. Included in that discussion was the proposed signal at Heritage Hills at Plymouth Road. The resolution was for Springettsbury and York Townships to meet and determine whether the developer could be convinced that a connector to Chambers Road could be achieved in order to minimize the number of signals in that area. That will be pursued in the long run. Heritage Hills continues to revise their plans, and Springettsbury will coordinate with York Township in an attempt to make that a possibility.

HOLMAN Mr. Holman stated that a meeting will be scheduled during one of the Tuesday staff meeting dates. He added that Elizabeth Heathcote, York Township's Manager, will be contacting him for some dates for the staffs to get together with the developer.

Transfer Signals

LUCIANI Mr. Luciani reported on the transfer signals during a power outage. For existing signals there is a plug outlet within the light mechanism. A generator could be connected to a signal via the plug to operate in inclement weather. The traffic maintenance consultant is Milt's Repair Service, and Mr. Lauer received a cost of about \$800 for the plug. That cost did not include the generator. Mr. Luciani obtained additional information from the Internet. In addition to the electrical plug, Maryland uses battery backups. That is only possible because the LED lights do not burn a lot of electricity. The cost for the battery backup is about \$4,000. As the construction specifications are revised, which will take at least 90 days, the existing signals could be retrofitted to a plug and new signals would be fitted for the battery backup. He noted that the Board's comments would be appreciated in order to move forward with a revision in construction material specifications.

- BISHOP** Mr. Bishop asked whether new signals are specified to be LED's.
- LUCIANI** Mr. Luciani responded that all new signal heads have to be 12 inch. The red and green have to be LED. He did not believe the amber had been approved as LED by PennDOT to date. They're all supposed to be Econolight so that everyone has the same equipment. They have to have emergency pre-emption and those are the typical signal specs.
- HOLMAN** Mr. Holman noted that on a road where the speed is only up to 35 miles per hour, an 8-inch signal head is specified by PennDOT. Springettsbury is specifying that everything be a 12-inch signal head. It appears that anything over 35 has to be 12 inch according to the state. In the future they may change the specification up to that level.
- BISHOP** Mr. Bishop asked whether there would be a big increase in cost to change from the 8 inch to 12 inch.
- LUCIANI** Mr. Luciani responded that if all of them would be changed, the old signal heads would be removed and a new 12-inch installed. It would be about \$300 for each signal head.
- BOWMAN** Mr. Bowman asked how the batteries are kept charged.
- LUCIANI** Mr. Luciani responded that they probably have a re-charge system. The documentation that he had read indicated that they could be operational up to 10 hours.
- BOWMAN** Mr. Bowman commented that they would still have to be constantly charged.
- LUCIANI** Mr. Luciani responded that they would be naturally re-charged from the power line.
- SCHENCK** Chairman Schenck commented that information indicated there was a potential specification of the connection device and there was a noise filter, all of which was straightforward and indicated that the equipment exists. He noted that the fire department would like to purchase the generators and they would take them out, get the light going and monitor the activity so it wouldn't be a Public Works activity. They are willing to purchase a few to get started, and they would provide that service.
- LUCIANI** Mr. Luciani stated it should be prioritized. There are large, spread out intersections, such as Whiteford and the Route 30 ramp, that would be the most difficult to control in power outages. He suggested that the next step would be to gather input from the fire police as to the top 10 problem areas.

- SCHENCK** Chairman Schenck commented that the fire police would know the areas they are dispatched to most frequently. A small generator would probably be sufficient.
- LUCIANI** Mr. Luciani stated that a small Honda generator for \$500 could easily handle it.
- HOLMAN** Mr. Holman added that since it would be obtained through Milt it would tie into the system.
- SCHENCK** Chairman Schenck agreed. He thought it was something for the Board's consideration. Perhaps one or two lights could be outfitted. He suggested asking Don Eckert for his input on priority areas.
- BISHOP** Mr. Bishop termed it a Pilot Project that made sense to move on quickly.
- HOLMAN** Mr. Holman asked whether it would be necessary to obtain a HOP or a signal light permit to make the changes.
- LUCIANI** Mr. Luciani responded that he did not think it would since the signal timing was not being changed.
- HOLMAN** Mr. Holman stated that he wanted to check on that aspect. He added that there would be no reason not to put in a few with the highest priority and see how they work.

5. CONSENT AGENDA

- A. T. R. Stoner – Penn Oaks Park Project – Application for Payment No. 1 in an amount not to exceed \$19,054.80**
- B. Dueck Construction – Public Works Storage Building – Application for Payment No. 2 in an amount not to exceed \$40,500**
- C. Regular Payables as Detailed in the Payable Listing of February 28, 2008**
- D. Acknowledge Receipt of January 31, 2008 Treasurer's Report**
- E. Acknowledge Receipt of January 15, 2008 York Area United Fire & Rescue Commission Meeting Minutes**
- F. Acknowledge Receipt of York Area United Fire & Rescue Commission Approved By-Laws**
- G. SD-07-10 – Time Extension – Marlin R. Weary Jr. – Plan Expires 3/21/08 (New Plan Date 6/21/08)**
- H. LD-07-01 – Time Extension – Members 1st – Plan Expires 3/20/08 (New Plan Date 6/20/08)**
- I. SD-07-03 – Time Extension – Spring Meadows – Plan Expires 3/30/08 (New Plan Date 6/30/08)**
- J. LD-06-07 – Time Extension – Dunkin Donuts – Plan Expires 3/10/08 (New Plan Date 6/10/08)**
- K. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 3/13/08 (New Plan Date 6/13/08).**

- L. **LD-07-13 – Time Extension – Village Realty-Canterbury Courts – Plan Expires 3/24/08 (New Plan Date 6/24/08)**
- M. **Board of Supervisors Regular Meeting Minutes – February 14, 2008**

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Enter into Developer’s Agreement – York Container Company (Mt. Zion Road Improvements)

HOLMAN Mr. Holman reported that the Developer’s Agreement with York Container Company was a follow up to the York Container’s previously-approved site and land development plan. The Agreement includes the extension of turning lanes, traffic signals and pre-emption devices at Mt. Zion and Industrial Highway. The sidewalk is not part of the Developer’s Agreement as that appears on the plan itself. He noted that both Solicitor Rausch and Mr. Rao had reviewed it and it meets all terms and conditions requested.

SCHENCK Chairman Schenck asked whether York Container was well aware of the Agreement.

HOLMAN Mr. Holman responded that they were and that their attorney had reviewed it a number of times.

MR. BOWMAN MOVED TO AUTHORIZE ENTERING INTO DEVELOPER’S AGREEMENT WITH YORK CONTAINER COMPANY, MT. ZION ROAD IMPROVEMENTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Approval of Residential Lease Agreement with Fire Chief Robert H. McCoy, Jr. for Property Located at 1467 Mt. Zion Road

SCHENCK Chairman Schenck noted that item B covered the residential lease agreement for the Snowberger house for Fire Chief Bob McCoy. He asked Mr. Holman whether Chief McCoy had an opportunity to review the lease agreement.

HOLMAN Mr. Holman responded that he had discussed it with Chief McCoy and it was in accordance with the terms discussed previously as part of his hiring. This helps by putting the Chief right next to his headquarters building in Springettsbury Township. In addition, the Chief will be taking care of the heating costs and any other costs related to that building.

DVORYAK Mr. Dvoryak asked how the building was heated.

- HOLMAN** Mr. Holman responded that it has a gas heater.
- DVORYAK** Mr. Dvoryak noted that the gas was not listed as one of the utility costs. However, he noted the words “as the case may be” which might be misinterpreted in a court of law as it is not clearly noted who is responsible for the service.
- HOLMAN** Mr. Holman responded that the Township continues to pay the utilities and in turn bill Chief McCoy. However, he could put them in his name if he so chooses.
- DVORYAK** Mr. Dvoryak asked how much time he would have to reimburse the Township.
- HOLMAN** Mr. Holman responded that he would have 30 days, which is on all the invoices.
- DVORYAK** Mr. Dvoryak indicated that was not spelled out either. He asked for the reason the Township chose to put the service in the Township’s name and administer re-billing to Chief McCoy versus having them bill him.
- HOLMAN** Mr. Holman responded that it was for simplicity, since the Township currently pays the bills. They are broken out by each individual building; every cost, sewer, water, utility. Comcast is the only one that would be put in his name because the Township does not put Comcast services in. If he wants cable TV, then he would put that in himself and pay separately.
- BISHOP** Mr. Bishop commented that the other alternative would be not to have a lease agreement at all. He commented that the Township was contributing to the new York Area United Fire Commission for which he assumed the Township would not be compensated in any way.
- HOLMAN** Mr. Holman responded that the only compensation is for the heating/gas, which the Township pays for currently. The heat is kept low, but it is actually heated. The Township is not compensated for the rental. The idea is that by June the Chief will be moving into his new home. Should it go to August, then there would be about an \$800 a month rent cost.
- BISHOP** Mr. Bishop noted his concern that Springettsbury established the precedent that continues to contribute to this partnership for which there is no quid-pro-quo and the Commission seems to sort of take that for granted. He just felt compelled to comment on it.
- SCHENCK** Chairman Schenck noted that it was worth mentioning. Even if there is no rent paid, there is an in-kind value, and it should be discussed at the next Commission meeting. He commented that perhaps a value should be assigned.
- BISHOP** Mr. Bishop stated that he did not think anything different had to be done.

SCHENCK Chairman Schenck asked Mr. Dvoryak if he wanted to make some edits to the agreement.

DVORYAK Mr. Dvoryak stated that, given the circumstances and the length that this will be in place, he did not think it was worth changing at this point.

MR. BISHOP MOVED FOR APPROVAL OF THE RESIDENTIAL LEASE AGREEMENT WITH CHIEF MCCOY FOR THE SNOWBERGER HOUSE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-07-03 – Spring Meadows Residential Development, Southwest Intersection of Mundis Mill Road and Sheridan Road – Plan Expires 3/30/08 – (Action)

SCHENCK Chairman Schenck noted that item A was approved in the Consent Agenda with a new plan date of 6/30/08.

RAO Mr. Rao provided background information on SD-07-03 as documented in a memorandum dated February 28, 2008. The purpose of the Subdivision is to create five lots for the construction of single family residential homes. The plan was submitted under the previous Zoning and SALDO Ordinances. This review was for a Preliminary Plan only. Mr. Rao provided PowerPoint photographs of the plan history and background, project location, adjoining zoning district R4 and R2, aerial view, present site, existing conditions and proposed residential plan. The developer requested four waivers and four conditions. He introduced Eric Johnston of Johnston Associates, the engineer for the plan.

SCHENCK Chairman Schenck commented on an existing dwelling and asked whether it will be demolished.

JOHNSTON Mr. Johnston responded that the plan for the building is that it will remain. In addition, notes have been added to the plan because it encroaches on the front setback. If it is ever demolished or any natural occurrence would take place, it would be built back in its proper location.

SCHENCK Chairman Schenck noted the location of the existing home and asked where the new homes will be placed.

JOHNSTON Mr. Johnston identified the location of the tract of land. He stated that there were two previously-approved lots as part of the Sheridan Manor Phase II project. The ownership was retained by Harry Fox who is the applicant for this section of land, and as a result he owns the land to be subdivided plus two additional previously-approved lots. This plan will create an access easement through two of the lots. The traffic engineer submitted a letter with regard to the situation at the intersection. They worked with the staff and determined it was best to eliminate

the existing drive and push it back further from the intersection. They propose an 18-foot wide paved private access drive. A joint agreement was submitted that the seven owners would share in the cost of that maintenance.

SCHENCK Chairman Schenck stated that the Fire Chief indicated a concern about getting a fire truck stuck back in there. He asked what would be done about that issue.

LUCIANI Mr. Luciani responded that it had been discussed. He explained the reason why there were not five separate driveways going out to Sheridan or Mundis is because the Township Ordinance would not permit it due to the creation of congestion on the street. Because of that they created the private access drive. The Fire Chief attended the staff meetings. Sheridan Manor is located on the back side of the development. If it became necessary to fight a fire, there is frontage where the trucks could park along the curb and fight the fire. The Fire Chief ultimately agreed that the access along that front was sufficient. The access drive would provide for parking of vehicles for the homeowner.

SCHENCK Chairman Schenck asked about stormwater.

LUCIANI Mr. Luciani responded that there is a basin, which was contemplated as part of Sheridan Manor, and in addition the basin is also a building lot. There will be a house on it, which will not encroach on the basin, and maintenance for the basin will be assigned to the homeowner.

JOHNSTON Mr. Johnston stated that they had submitted a private access drive agreement. There were some stormwater features along the access drive that all seven homeowners will take care of, but once it hits that lot there's a pond behind the house where the lot owner will maintain.

SCHENCK Chairman Schenck asked whether that would be part of the approval or not.

RAO Mr. Rao responded that the issue had been submitted to the Solicitor for the maintenance of the stormwater pond and the access drive.

LUCIANI Mr. Luciani indicated he did not believe it would be part of the approval.

HOLMAN Mr. Holman asked whether the agreement would be part of the Land Development Plan.

RAO Mr. Rao responded that it will be recorded with the subdivision plan.

JOHNSTON Mr. Johnston added that there are reference notes on the plan which will state that such agreement exists for the prospective lot buyers.

LUCIANI Mr. Luciani noted that the preliminary plan will come back to the Board with a final plan and at that time they will have a HOP. The preliminary plan will not be recorded at this time.

JOHNSTON Mr. Johnston added that notes 9 and 16 on sheet one are the other protective notes for the Township alerting those lot owners of the situation.

BISHOP Mr. Bishop commented that note 16 stated that lot #1 property owner is responsible for the maintenance of the stormwater facilities. He asked whether that would be documented in the Ordinance.

LUCIANI Mr. Luciani responded that the Stormwater Management Ordinance defines the stormwater management facility, proper basin and outlet structure. There also is a standard maintenance agreement that the Township had been using where the owner and developer both check the basin for any erosion, etc.

BISHOP Mr. Bishop asked how that would be affected if the Stormwater Ordinance is changed.

LUCIANI Mr. Luciani responded that he believed it was an agreed to condition on the plan.

JOHNSTON Mr. Johnston added that the maintenance for the pond are shown on sheets 4 and 5 of the plan.

LUCIANI Mr. Luciani reported that all of the Township plans had been archived and recorded. If someone cuts down a tree that is required as a buffer, that plan will be pulled out and where it is indicated to be a required improvement there would be a need for replacement. The next step would be to take it through the process of enforcement.

SCHENCK Chairman Schenck commented he appreciated that note 16 would be added and appear on the deed. He asked whether it would make sense that note 9 would be added.

JOHNSTON Mr. Johnston responded that it could appear in the recorded deeds if the Board would be more comfortable adding it.

SCHENCK Chairman Schenck commented that it wouldn't cost anything to add that note.

BISHOP Mr. Bishop indicated that it seemed reasonable because homeowners don't see the plan and they don't read deeds. He asked for the status of sidewalks.

LUCIANI Mr. Luciani responded that sidewalks were built all along Mundis Mill and as far as possible on Sheridan. He added that the Rail Trail will occur there as well with a pedestrian path. There are no sidewalks on the bridge crossing the river.

MR. BOWMAN MOVED WITH REFERENCE TO SD-07-03, SPRING MEADOWS RESIDENTIAL DEVELOPMENT, TO APPROVE THE FOLLOWING WAIVERS:

- **WAIVER OF SALDO §289-15.F, ENVIRONMENTAL IMPACT STUDIES;**

- **WAIVER OF SALDO §289-26, LANDSCAPE AND BUFFER YARDS;**
- **WAIVER OF SALDO §289-32.1 ACCESS DRIVES;**
- **WAIVER OF STORMWATER §281-7.G, MINIMUM BASIN BOTTOM SLOPE.**

WITH REFERENCE TO THE PLAN, SD-07-03, SPRING MEADOWS RESIDENTIAL DEVELOPMENT, MR. BOWMAN MOVED TO APPROVE THE FOLLOWING CONDITIONS:

- **SALDO §289-10.A.2.b, A PENNDOT HOP BE OBTAINED FOR THE ACCESS DRIVE OFF OF MUNDIS MILLS ROAD;**
- **SALDO §289-11.B, THE PRELIMINARY PLAN SHALL BE DRAWN ON MYLAR MATERIAL;**
- **SALDO §289-12.C & -38.C, PRIOR TO RECORDING OF THE PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE COST OF THE REQUIRED IMPROVEMENTS;**
- **SALDO §289-68.D, ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR RECREATION, ENGINEERING, LEGAL AND/OR ADMINISTRATIVE COSTS.**

MR. BISHOP WAS SECOND.

MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

Signal Light – Concord Road

BOWMAN Mr. Bowman asked about the status of the signal light timing on Concord Road. Motorists complained that only three cars can get through the intersection.

HOLMAN Mr. Holman responded that there were signal light changes made to that signal about a month ago. It had been re-timed in an attempt to improve it further.

SCHENCK Chairman Schenck asked whether there was a specific left-turn movement mentioned.

BOWMAN Mr. Bowman responded that he was not sure but would attempt to get the information.

Church/Chicken Barbecues

SCHENCK Chairman Schenck brought up the application received from the church for the chicken barbecue activities. He asked for a status report.

HOLMAN Mr. Holman responded that he met with Attorney Ehrhart in order to clarify the Solicitor's opinion. He reported that because it is a non-commercial function, the ordinance does not apply to that area. The answer is no, they do not need a permit. Mr. Rao had issued a permit to them so that they could order supplies.

Mr. Holman indicated he would be taking care of the application response. He added that his discussion with Attorney Ehrhart had provided good clarification of the ordinance.

BISHOP Mr. Bishop noted that it was because it is a non-commercial use.

HOLMAN Mr. Holman stated that it should be further reviewed to be sure to clarify between yard sales, non-commercial and festival use. They will be doing so in detail to be sure no problems develop.

BISHOP Mr. Bishop noted that it was not the zone but the use.

HOLMAN Mr. Holman indicated that he was correct.

SCHENCK Chairman Schenck commented that the festival that the Catholic church has is not an issue.

HOLMAN Mr. Holman responded that he was correct. It is not an issue. They do everything with their own people. A carnival session is permitted. He appreciated all the work done on that to get it clarified.

SCHENCK Chairman Schenck stated that the permit is not required. They just do what they had always done in the past.

HOLMAN Mr. Holman responded that he had requested that they advise the Township when they are having it in order to be aware of extra traffic and smoke from the barbecue.

9. SOLICITOR'S REPORT

EHRHART Acting Solicitor Nicole Ehrhart reported that Attorney Rausch had submitted his report, and there was nothing additional to add.

Eberts Lane Property

SCHENCK Chairman Schenck asked what the Township should do with the Eberts Lane property.

HOLMAN Mr. Holman responded that 30 days is the exception period when the owner of the property can come in and actually pay for it. He did not expect that would happen. The Township is familiar with the property and can determine what needs to be done as far as cleaning up the property. The Solicitor is reviewing it. There is some equipment, auto and an old trailer, and Solicitor Rausch will advise how to handle that. An attempt will be made to locate the existing owners. It will come back to the Board for a determination.

DVORYAK Mr. Dvoryak asked whether there were any liens, mortgages or liabilities that come with that deed or is it free and clear.

HOLMAN Mr. Holman responded that there is a \$4,000 tax lien, of which a portion is owed to the Township; sewer was owed well over \$12,000 on that property.

BISHOP Mr. Bishop asked whether there are taxes owed to the school district.

HOLMAN Mr. Holman responded that there are included in the \$4,000 which the Township can either pay or sell the property to pay that off.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing further to add to his report.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 08-03 – Amending the York Area United Fire and Rescue Charter Agreement

SCHENCK Chairman Schenck stated that Ordinance No. 08-03 amended the Charter Agreement for the York Area United Fire and Rescue, and both townships must approve this.

HOLMAN Mr. Holman stated that Spring Garden Township had advertised it and will have a Public Hearing for discussion.

DVORYAK Mr. Dvoryak asked whether anyone had heard any concerns as he had received one in the mail.

HOLMAN Mr. Holman responded that he thought everyone had received comments.

MR. BISHOP MOVED TO APPROVE ORDINANCE NO. 08-03 AMENDING THE YORK AREA UNITED FIRE AND RESCUE CHARTER AGREEMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 08-31 – DCNR Grant Application for Feasibility Study on an Indoor Recreation Center

SCHENCK Chairman Schenck asked for additional information with regard to item B.

HOLMAN Mr. Holman responded that they are working through a financial/cost benefit analysis and feasibility study on whether or not it would make sense at some time in the future to construct a facility of this type. The goal in this grant is not necessarily to construct, but rather to do the full study that was discussed during the budgeting process.

- SCHENCK** Chairman Schenck asked what the anticipated match or total amount would be.
- HOLMAN** Mr. Holman responded that it would be 50% of the cost.
- SCHENCK** Chairman Schenck asked what the costs would be.
- HOLMAN** Mr. Holman responded that it would be about \$15,000, which would be the Township's share and \$15,000 from the developer.
- SCHENCK** Chairman Schenck asked whether this had come through the Park and Rec Board.
- HOLMAN** Mr. Holman responded that it had. The Park and Rec Board is interested in it and it ties in with the cost analysis being done to determine the numbers, benefits, alternative solutions, location, costs, long-term maintenance, caretakers, etc. It would be an expensive undertaking by the Township, but it was something that was identified in the Comp Plan.
- SCHENCK** Chairman Schenck asked whether it had been budgeted.
- HOLMAN** Mr. Holman responded that it had been budgeted within the Recreation fund for a grant. They were planning on applying for grants, and this would be the one that would be the most successful going up to the board. They were not going to look at another study of parks. They want to look at the question of facilities.
- BISHOP** Mr. Bishop commented that he thought taking a look at it was a reasonable thing to do.
- SCHENCK** Chairman Schenck asked who would be the anticipated vendor or whether DCNR would choose the vendor.
- HOLMAN** Mr. Holman responded that the Township will decide on the vendor. They had normally used KSK in this but could look at alternative vendors.
- SCHENCK** Chairman Schenck responded that it would be prudent to do so.
- MR. DVORYAK MOVED TO APPROVE RESOLUTION 08-31, DCNR GRANT APPLICATION FOR FEASIBILITY STUDY ON INDOOR RECREATION CENTER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

12. OLD BUSINESS

- BISHOP** Mr. Bishop asked what the policy is currently when someone asks what they need to do as far as chicken barbecues and how organizations would know what they're allowed to do or not allowed to do.

HOLMAN Mr. Holman asked whether he referred to the non-commercial or the commercial.

BISHOP Mr. Bishop responded the non-commercial.

HOLMAN Mr. Holman stated that he will create a policy on the non-commercial in order to clarify it.

BISHOP Mr. Bishop noted that no permits for that sort of function will be issued.

HOLMAN Mr. Holman responded that he was correct, that it was not in the Township's interest to do so, and there was no public benefit.

13. NEW BUSINESS

A. Acknowledge Receipt of Correspondence from York Area United Fire and Rescue Commission Extending Operational Date of the Department to May 5, 2008.

MR. BOWMAN MOVED TO ACKNOWLEDGE RECEIPT OF CORRESPONDENCE FROM YORK AREA UNITED FIRE AND RESCUE COMMISSION EXTENDING OPERATIONAL DATE OF THE DEPARTMENT TO MAY 5, 2008. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Acknowledge Receipt of Letter of Resignation from Parks and Recreation Board Member, Sylvia Weber

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF LETTER OF RESIGNATION FROM SYLVIA WEBER FROM PARKS AND RECREATION BOARD WITH REGRET. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck asked that a letter of appreciation be sent to Ms. Weber.

HOLMAN Mr. Holman responded that he will send a letter to her. She and her husband decided to move to Florida.

BISHOP Mr. Bishop added the following item to the agenda.

C. Resolution No. 08-32 – Appointment of Sidney Martin to Park and Recreation

SCHENCK Chairman Schenck stated that all four Supervisors had interviewed Mr. Martin. He seemed like a reasonable man, interested in Parks and Recreation and had some municipal experience as well.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 08-32 APPOINTING SIDNEY MARTIN TO THE PARK AND RECREATION BOARD TO FILL THE UNEXPIRED TERM OF CHARLES WURSTER, WITH A TERM EXPIRING

THE FIRST MONDAY IN JANUARY 2009. MR. BISHOP WAS SECOND. MOTION UNHANIMOUSLY CARRIED.

SCHENCK Chairman Schenck asked that a letter advising him of this appointment be sent to Mr. Martin.

14. ADJOURNMENT

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

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 14, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 14, 2008 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Harish Rao, Community Development Director
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.

A. Opening Ceremony

SCHENCK Chairman Schenck led the Pledge of Allegiance. He acknowledged the presence of the new Chief of the York Area United Fire and Rescue, Bob McCoy.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there were no Executive Sessions held after the last meeting, and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBER Mr. Schober reported that a meeting had been held with one of the equipment suppliers for the BNR project. The most expensive portion of the project is the biological process, and there are two nationally-recognized suppliers who will be able to compete against each other for this project. This will enable the Township to save money on that particular part of the process. In addition, Mr. Schober reported that the NPDES permit had been received and is being reviewed. It appears that all the comments were addressed. They have relaxed the chlorine limit some and pushed back the construction schedule for the BNR by about a year.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani provided some handouts to the Board members with regard to the intersection of Memory Lane extended and Whiteford Road. Diehl Suzuki is planning to develop the northeast corner of that intersection. Mr. Luciani indicated that about five years ago there were some sight distance issues at the curve in the area around the Galleria Mall. As part of the weekly developer's meetings, Diehl had been advised of some of the issues. Sidewalk is being installed along Whiteford Road, which was required from the developer. The Board had discussed some physical improvement, but the proposal provided is for a median on Whiteford Road. The pork chop would be redundant and does not need to be there. It will allow motorists to make a right in and right out. Cost estimates were done five years ago. Mr. Luciani indicated that the plan will not come before the Board for at least 69 to 90 days.

BISHOP Mr. Bishop noted that the improvements would be similar to those done at the Weis Market on Haines Road.

LUCIANI Mr. Luciani responded that he was correct. Mr. Luciani reported that he and Mr. Holman plan to meet with PennDOT's consultant on the Market Street/Mt. Zion Road project. The plan will be put out for bid in January, 2009. However, the project is scheduled for 2010. The Township is attempting to dovetail its signal project with their widening at Market Street. Mr. Luciani stated that a meeting was held with PennDOT, Mr. Holman and the County officials to discuss the improvements at Mt. Zion and Deininger Road. They left the meeting with the understanding that the County officials would talk to the neighbor. They thought they could negotiate some additional room to improve sight distance, but the email report indicated that the neighbor is not interested in negotiating with PennDOT. He wanted them to buy his house, so there's a stalemate as far as greater improvements at Deininger. What they proposed at the meeting was moving the stop bar up, and they really didn't provide much more.

- HOLMAN** Mr. Holman added that they wanted to put in an extra arrow to show where to take the right turn and two other minor improvements.
- LUCIANI** Mr. Luciani stated that, unfortunately, with the lack of right of way, PennDOT is really troubled to try to make some significant changes. They're still looking at it, but right now they're proposing very minor changes to that intersection.
- Mr. Luciani reported that the Public Works Building is winding down. A Change Order was received from the electrical contractor for about \$2,000 to change wiring, which will be authorized. Documentation will be provided to the Board.
- SCHENCK** Chairman Schenck commented on the signal at the Wachovia Bank. Pre-emption is required, so if it is not approved, it's because PennDOT indicated it is not required.
- LUCIANI** Mr. Luciani responded that he was correct.
- SCHENCK** Chairman Schenck noted that one of the things that the fire company was discussing related to some neighboring townships where they require a transfer switch which enables the signal to be taken off the grid. It can be powered with an emergency generator to handle a major power outage. Rather than have fire police out there for 10 hours when the power is out, they can power signals with a small generator. Chairman Schenck did not know whether that was something that was common but indicated that Manchester Township has this option. He stated that he did not know any of the risks, but thought it might be something to review.
- BISHOP** Mr. Bishop indicated he thought it sounded like a good idea. He could recall some discussion about the subject.
- SCHENCK** Chairman Schenck stated that during a time when there was a major outage they had to improvise. In this way a switch could be thrown and hook the generator up and go.
- ESHBACH** Chief Eshbach stated he thought it was a very good idea.
- SCHENCK** Chairman Schenck noted that the volunteer fire company would like to buy the generators and support that idea but they need the township's input. They need a way to isolate it.
- LUCIANI** Mr. Luciani stated that it would be especially important in consideration of the new signal head in use; the LED lights use a lot less electricity. He thought a Honda generator could probably be sufficient. The challenge would be a transfer hookup for each light. The power couldn't be

transferred down the street 500 feet, so each critical signal would have the ability. In an emergency power outage, there only would be a grid out and not 50 different signals. Many different things would have to be implemented. He indicated they could look at transfer switches as a requirement to supplement the lights during power outages.

SCHENCK Chairman Schenck stated that it would require Mr. Lauer's agreement.

LUCIANI Mr. Luciani stated that some upgrades had been put into place with new signals. Re-timing lights wouldn't be a significant cost. He offered to gather some information on it and advise the Board of those costs. Pre-emption costs are about a \$10,000 line item. A transfer switch probably isn't that great a cost.

SCHENCK Chairman Schenck stated that he was not talking about anything automatic or sophisticated. He just liked the idea.

LUCIANI Mr. Luciani commented on the ability to avoid having the fire police out there would be a benefit.

SCHENCK Chairman Schenck noted that it's not that they don't want to be out there, but many of the intersections are too big with too many movements and the potential for serious injury, etc.

HOLMAN Mr. Holman advised that he would discuss the subject with Mr. Raver, Manchester Township, and see what his thoughts are.

BISHOP Mr. Bishop noted that Mr. Luciani mentioned York Suburban and Mill Streets along with some drawings in his report. He asked for clarification.

LUCIANI Mr. Luciani responded that their architect came and discussed their project. The plan is to knock down the old school along Fifth Avenue. Then they're going to put either a one or two-story school to the north of the old school. There had been a traffic study conducted during the Home Depot project, and Mill and Eastern Boulevard were marginally close to meeting signal warrants. A discussion surrounding that signal was held with them, along with their bus routing. Eastern Boulevard has a median in that area so traffic issues were discussed. This school will have K through second grade.

BISHOP Mr. Bishop asked whether they contemplated using the Bentivegna property.

LUCIANI Mr. Luciani responded that it was not part of the equation. They had discussed the need for additional parking. The Township will have to abandon the road. The corner is a split lot zone with mixed use, which

creates some additional minor issues. The plan will not come before the Board for four or five months.

5. CONSENT AGENDA

- A. Johnston Construction Co. – Application for Payment No. 5 – Grit Removal Improvements Project in the amount of \$482,835.23**
- B. Regular Payables as Detailed in the Payable Listing of February 14, 2008**
- C. Board of Supervisors Reorganization Meeting Minutes – January 7, 2008**
- D. Board of Supervisors Public Hearing (Temporary Use) – January 24, 2008**
- E. Board of Supervisors Public Hearing (Stone Ridge Road) – January 24, 2008**
- F. Board of Supervisors Regular Meeting – January 24, 2008**

SCHENCK Chairman Schenck asked whether anyone wanted to remove any items from the Consent Agenda. He asked to remove items D and F for further discussion.

DVORYAK Mr. Dvoryak requested further discussion on item B.

MR. DVORYAK MOVED FOR APPROVAL OF CONSENT ITEMS A, C, AND D. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck asked for Mr. Dvoryak's question on item B.

DVORYAK Mr. Dvoryak stated that there are two disbursements noted for the Fire Chief interviews. His question was whether they were Springettsbury Township's costs or York Area United Fire and Rescue costs.

HOLMAN Mr. Holman responded that York Area United Fire and Rescue does not have a budget at this time. An agreement is in place between Springettsbury and Spring Garden townships which states that Springettsbury will pay the invoices and Spring Garden will reimburse our share of what would be 45% of those costs. That was how these invoices have been handled for York Area United Fire until a budget is formally adopted.

MR. DVORYAK MOVED TO APPROVE ITEM B. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck reported that an email had been received from Mr. Gurreri requesting corrections to minutes. He asked that the statement, "The new ordinance is too restrictive and needs to go back to the drawing board" be added to the Regular Meeting minutes and to the Public Hearing for Ordinance No. 08-01. Chairman Schenck requested guidance on this request.

RAUSCH Solicitor Rausch did not have any issue with his request.

BISHOP Mr. Bishop added that it was a procedural issue as to how far should the Board go with an email request rather than attendance at a meeting. He considered it a low level, low risk action, but indicated it might be starting something.

SCHENCK Chairman Schenck noted that he was not opposed to it.

DVORYAK Mr. Dvoryak added a sentence to his comment in the Regular Meeting Minutes on page 22, "They feel that our requirements are excessive, since PennDOT and other municipalities only require a one-time application fee."

MR. BOWMAN MOVED TO APPROVE ITEMS D AND F FROM THE CONSENT AGENDA FOR THE BOARD OF SUPERVISORS PUBLIC HEARING JANUARY 24TH AND BOARD OF SUPERVISORS REGULAR MEETING JANUARY 24, 2008 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorize Execution of Professional Engineering Services Agreement with NuTec Design Associates, Inc. for Review of Commercial and Industrial Building Permit Submissions for Uniform Construction Code Compliance.

HOLMAN Mr. Holman stated that the Township had been participating in the Engineering Services Agreement for several years and it had been very successful in helping stay on track with getting reviews and permits out. It has taught some of the engineering firms the difficulties the Township faces in getting information back from clients. It had been a very successful contract and the Township has been able to move forward with its projects.

SCHENCK Chairman Schenck noted that the Township is reimbursed for these costs.

HOLMAN Mr. Holman confirmed that reimbursement is through permit fees.

MR. DVORYAK MOVED TO AUTHORIZE THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH NUTECH DESIGN ASSOCIATES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorize Agreement between Springettsbury Township and York Area United Fire and Rescue Commission to Provide Human Resources, Financial and MIS (Computer) Services for the Calendar Year 2008

SCHENCK Chairman Schenck stated that item B is the agreement between Springettsbury Township and York Area United Fire and Rescue for the Township to provide back office services. He asked Mr. Holman if he had discussed this amount with Spring Garden Township.

HOLMAN Mr. Holman responded that it had been discussed with Mr. Maust. They had reviewed the same at the meeting and calculated the numbers several different times. This would be the cost for Springettsbury providing these services on an annual basis or at least for this year coming up and Spring Garden was okay with these costs and so was the offer. One of the goals is that York Area United Fire and Rescue would not become another beauracracy but instead focus on what they need to do which is the fire fighting in these townships. Springettsbury will provide some of the back office activities, but Spring Garden will reimburse the costs. Springettsbury's computer system is more than capable of handling this change. The fire line items that are currently in the Township budget will shrink to one, which would be our contribution to the United Fire organization and then there will be a separate fund set up like the sewer which will have a list of the United Fire accounts.

DVORYAK Mr. Dvoryak commented for clarification that specific items would be reimbursed 45% to Springettsbury by Spring Garden.

HOLMAN Mr. Holman responded that the Township actually will be reimbursed the full amount from the United Fire once the budget is set up.

DVORYAK Mr. Dvoryak asked how the cost of the vehicle will be handled.

HOLMAN Mr. Holman responded that the vehicle will be loaned to United Fire. It is the current Chief's vehicle that will be used. United Fire will be paying for the gas, repairs and improvements to the vehicle. This vehicle is currently owned by Springettsbury Township and will be transferred over to the United Fire. It will be one of the assets provided and will count towards Springettsbury's contribution towards United Fire. These assets are all being calculated for a total share to be built into United Fire.

SCHENCK Chairman Schenck added that the vehicle was purchased by the volunteer fire company.

HOLMAN Mr. Holman stated that it had been titled to Springettsbury Township.

DVORYAK Mr. Dvoryak commented on the item for staff time. He recalled that during the budget talks, a request had been made for more administrative help. He did not believe that had been funded. He asked where the staff

would be coming from for the financial, computer service and human resources areas if they were not available when the budget had been created.

HOLMAN Mr. Holman responded that the manpower is being provided through the fire department as it exists. The accounts are being set up and the services will be provided this year. There are no extra manhours. However, the request is that these be funded by Springettsbury Township's Board of Supervisors. There will be an additional administrative person for York Area United Fire, who, over a period of time, will begin picking up some of the base level tasks that are in human resources and finances.

DVORYAK Mr. Dvoryak commented for clarification that what the staff is doing today versus what they will be required to do for YAUFRR will require no more manhours.

HOLMAN Mr. Holman responded that he was correct and added that it will be completely computer driven.

MR. BOWMAN MOVED TO AUTHORIZE AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND YORK AREA UNITED FIRE AND RESCUE COMMISSION TO PROVIDE HUMAN RESOURCES, FINANCIAL AND MIS SERVICES FOR THE CALENDAR YEAR 2008. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were no subdivisions or land developments for discussion.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak reported that he received a letter indicating a concern with a signal light at Plymouth and Mt. Rose Avenue. One additional comment was that he does not travel Eastern Boulevard very often but happened to be on Eastern Boulevard around Kershaw and ran into the traffic circle. He was not real impressed with the warning prior to coming upon it as it was not very visible. He asked whether there was anything that could be done to improve the warning or the visibility.

HOLMAN Mr. Holman responded that there are two signs prior to the circle.

BISHOP Mr. Bishop added that there are no street markings there.

DVORYAK Mr. Dvoryak indicated he was surprised that there haven't been more comments about it.

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 stated that he had nothing to add to his written report.

SCHENCK Chairman Schenck stated that he had read in Mr. Holman's report that the Township had changed its position slightly with regard to the gas company projects. He asked for further clarification.

HOLMAN Mr. Holman stated that they had checked with PennDOT and learned they only charge one fee per application, but they do charge for each individual cut so the Township amended that to \$40.00 per cut. The application is a one time \$50.00 fee.

SCHENCK Chairman Schenck noted that it would amount to 800 times \$40.00 for the per cut cost.

LUCIANI Mr. Luciani indicated that they had reduced the 800 number down significantly.

HOLMAN Mr. Holman added that during their review they found in the ordinances and in the PennDOT regulations, they show the Township's inspection fees over and above what the application covers; then those inspection fees must be paid much like the Township paid PennDOT for their oversight services at Mundis Mill and Sheridan. They sent the Township their bills after the fact for their inspector being there to make sure it was done right.

LUCIANI Mr. Luciani added that Haines Road, Concord and Mt. Zion Road streets had full-time PennDOT inspectors.

SCHENCK Chairman Schenck noted that the gas company is state regulated.

LUCIANI Mr. Luciani stated it was in a policy statement. It doesn't say that each hole doesn't get an application. Mr. Holman asked him to investigate the policy of the department because the Township wanted to be consistent with their policy. Whether or not a \$50.00 fee should or should not be charged is not clear either way.

HOLMAN Mr. Holman added that the policy is if you submit an application for 800 plus or a 1,000 cuts. He did not think the Township would charge them an application fee but rather a per cut fee, but then it goes further that if

Township inspections go over and above what the cost of that permit is then they will be billed for that difference to reimburse.

SCHENCK Chairman Schenck thanked them for taking the extra step for review.

HOLMAN Mr. Holman indicated they would keep working their way through these PennDOT regulations. This was the first time they had to deal with one anywhere near this level. They are in a learning curve as well.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 08-30 – Closing Out Community Conservation Partnerships Grant Project (Comprehensive Recreation, Park, Greenway and Open Space Plan).

HOLMAN Mr. Holman stated that Resolution 08-30 will close out the DC&R Grant, which funded the Park and Recreation Comprehensive Plan. It will be coming before the Board the first meeting in March, depending on when the County completes its review. The project has been completed and the funds have been drawn down. A Resolution will close the grant.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 08-30 CLOSING OUT THE COMMUNITY CONSERVATION PARTNERSHIPS GRANT PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business for discussion.

13. NEW BUSINESS

A. Authorization to Advertise Ordinance Amending the York Area United Fire and Rescue Charter Agreement

SCHENCK Chairman Schenck stated that the item requests authorization to advertise a change in the ordinance amending the York Area United Fire and Rescue Charter Agreement, changing some language for a scenario if a new contract is not put in place with the union and also cleaning up some language that was in error.

HOLMAN Mr. Holman indicated that this had been discussed at the January meeting and was introduced by Spring Garden and authorized to advertise at their last meeting.

BISHOP Mr. Bishop stated that it had not been discussed by this Board.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 14, 2008
APPROVED**

HOLMAN Mr. Holman noted that when the Charter Agreement was developed there were some items that did not apply to fire departments. This will also take care of the fact of having two contracts to follow. The Charter Agreement is a living document. This was recommended by the personnel solicitor and by Solicitor Hovis for the York Area United Fire and Rescue.

SCHENCK Chairman Schenck asked for any questions. He added that this action is for advertisement only.

ECKMAN Dave Eckman stated that he had just received the document late this afternoon and he will reserve any comments for later.

SCHENCK Chairman Schenck noted that since this is not a Zoning Ordinance, it will not require a Public Hearing. However, it does have to be advertised before it is adopted. If there are any comments they can be voiced at the next meeting.

MR. BISHOP MOVED TO AUTHORIZE ADVERTISING THE ORDINANCE AMENDING THE YORK AREA UNITED FIRE AND RESCUE CHARTER AGREEMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**JANUARY 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 24, 2008 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
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Jean Abreght, Stenographer

A. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order.

B. NEW BUSINESS

A. Ordinance No. 08-01 – Amendment to Section 325-131 – “Temporary Use and Structure” of the Springettsbury Township Zoning Ordinance to Add a New Subsection J.

SCHENCK Chairman Schenck stated that the Public Hearing related to a draft ordinance amending the Public Use and Structure. This is an ordinance change, which required a Public Hearing. The change has to do with Temporary Sales within the Township and will allow that use on a limited scale.

HOLMAN Mr. Holman added that sales could be transacted within an area of approximately 100 square feet, which would not allow a tent but would allow tables.

C. PUBLIC COMMENT

SCHENCK Chairman Schenck asked whether there was any Public Comment

RESIDENT A resident asked whether that would only be limited to non-profit organizations.

SCHENCK Chairman Schenck responded that was the reason the Ordinance had been advertised. He indicated that the Township never wanted anyone to come into the Township and set up to sell sofas on a corner in a vacant lot on a Sunday. The Board had attempted to regulate that. The ordinance always stated if non-profits wanted to have those activities, the Board would support fund raising activities.

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**JANUARY 24, 2008
APPROVED**

The courts have stated that municipalities cannot discriminate against profit or non-profit groups and they will either be allowed or none will be allowed. This Board is attempting to find a way to allow that use for all but try to keep it tightly enough controlled for that. This proposed ordinance is a start to try to fix that problem.

RAUSCH Solicitor Rausch reported that the Planning Commission had some issues with the ordinance being too restrictive. The York County Planning Commission reviewed the ordinance and recommended approval.

SCHENCK Chairman Schenck stated that he was not opposed to the draft ordinance.

RESIDENT A resident commented that it sounded like it has to go one way or the other, all or none.

RAUSCH Solicitor Rausch responded that was exactly right.

BISHOP Mr. Bishop brought up an additional point not related to the ordinance. He indicated the ordinance with respect to temporary signs also required attention. He had been under the impression that a sign could be placed only on one's own property. He commented that it did not read that way, i.e., temporary signs could be placed anywhere one could secure a permit within limits.

RAO Mr. Rao added that signs could be placed with the permission of the property owner.

BISHOP Mr. Bishop stated that he thought that was a mistake and would open up a myriad of temporary signs all over the Township.

GURRERI Mr. Gurreri commented that the new ordinance was too restrictive and needed to go back to the drawing board.

SCHENCK Chairman Schenck asked for any further comment. Hearing none, he called for adjournment.

D. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 6:40 p.m.

Respectfully submitted

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**JANUARY 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 24, 2008 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
Charles Rausch, Solicitor
Harish Rao, Community Development Director
John Luciani, Civil Engineer
Jean Abreght, Stenographer

A. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:45 p.m.

B. NEW BUSINESS

A. Ordinance No. 08-02 – Vacating Portion of Stone Ridge Road

SCHENCK Chairman Schenck stated that the purpose of the advertised Public Hearing was to take comment on Ordinance 08-02, an ordinance to vacate a portion of Stone Ridge Road. Stone Ridge Road had been rerouted to accommodate a new development and there's a piece of land, which the Township wanted to give back to the property owner.

B. PUBLIC COMMENTS

STINE Mrs. Marie Stine, 3580 Stone Ridge Road, stated she was the only resident on the corner of Eastern Boulevard where the retirement home was built. She explained that the portion of her property exists where Stone Ridge Road was vacated. She stated her disagreement. She has a portion of land that belonged to her but she has no access in or out of the property due to the development. She had never been notified of any work being done and came home one day to everything being bulldozed. She had a concrete pad across the street where she parked her car, which is no longer there. She had secured an attorney. She stated that she wanted Stone Ridge Road re-opened. The work done was very effective for the condos with sidewalks, but there are no sidewalks where her home sits. Children, parents, dogs, cats walk through her yard to the public park. She cited safety for the children walking on the street and other traffic safety issues

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**JANUARY 24, 2008
APPROVED**

SCHENCK Chairman Schenck asked whether the access problem was due to the curbing.

STINE Mrs. Stine responded that he was correct. She noted that where the wooded area had been is now an area she needs to mow, which she can only do if she rides her mower through the traffic. Attorney Hoffmeyer is working with her, as she had been subjected to go to court because she can't mow that grass. All she needed was access to her concrete pad on Stone Ridge Road. During snowstorms she could park her car and could get in and out. She had approached the Township some time ago but had received no direction and spent countless money for attorney fees. She was disappointed that no action had been taken.

SCHENCK Chairman Schenck stated that the land that is being vacated is owned by Mrs. Stine.

STINE Mrs. Stine responded that he was correct.

SCHENCK Chairman Schenck stated for clarity that her issue was that she has no way to access the land mainly because of the curb.

STINE Ms. Stine responded that it is the curbing and the fact that they developed the whole area on the corner. They took out Stone Ridge Road, abandoned it and left her no way to use her land. It had a purpose for her.

SCHENCK Chairman Schenck asked Solicitor Rausch whether the issue was still unsolved between the three parties.

RAUSCH Solicitor Rausch responded that he had encouraged Mrs. Stine's attorney and Mr. Pasch's attorney to visit the site and attempt to work it out.

STINE Ms. Stine stated that she had attempted to correct the matter some time ago and met with Mr. Pasch on a Sunday. They had discussed the issues, but she felt he did what he wanted to do. She had not been offered an easement.

RAUSCH Solicitor Rausch stated that there was a side issue, in which the developer thought that the right-of-way for Stone Ridge Road was 50 feet. It was really only 33 feet so the developer went outside of the right-of-way, and that's a separate issue that has nothing to do with the Township. He was permitted to work within that 33 feet. With regard to the access, there is a parking lot coming off Cinema Drive that Mrs. Stine would be able to use and then it would just be a matter of granting her a very small access to reach this little triangular piece of property that she still owns. He was told that the portion that her property was on does not have curbing on it; that the curbing actually starts after her property, the little piece that still fronts on Eastern Boulevard. He was not sure of that. He stated that the Township had not been ignoring Mrs. Stine's concerns and had been attempting to mediate between the two parties. Mr. Pasch is the one responsible to make this

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING**

**JANUARY 24, 2008
APPROVED**

right. Solicitor Rausch stated that he would continue to try to get the two parties together and see what resolution can be reached.

STINE Mrs. Stine responded that she had been battling the problem for two and a half years with no solution.

GURRERI Mr. Gurreri commented that it was unfortunate she had to go through this, but Solicitor Rausch will talk to Mr. Pasch again to see if he can get something done. That is all the Board could do at this point.

SCHENCK Chairman Schenck asked whether her position was that the Township should not take this action to vacate the portion of the road back to her. He asked whether she wanted the land.

STINE Mrs. Stine responded that she would work that out with her attorney. She wanted her land back and access in and out of her property again.

SCHENCK Chairman Schenck stated that he wanted to be clear. If the Board enacted the ordinance, the piece of land that wasn't properly given to her will not be given to her. In addition, if this is done, she will own another little piece of land that was not properly identified. The Township wanted to be sure that she owned it. He asked whether she did or did not want the Township to give the land back.

STINE Mrs. Stine responded yes.

SCHENCK Chairman Schenck asked again whether she wanted the Township to give the land back to her.

STINE Mrs. Stine responded yes.

SCHENCK Chairman Schenck stated that was the only thing the Board is doing. He asked for any further comments. Hearing none, he thanked Mrs. Stine for coming. He stated that the Board wanted to be sure that it was going in the right direction for her.

D. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman
Secretary
ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 24, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 24, 2008 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
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Harish Rao, Community Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Chief, Police Department
Sandy Ratcliffe, Deputy Finance Director
Jean Abreght, Stenographer

1. CALL TO ORDER

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

A. Opening Ceremony

GURRERI Mr. Gurreri welcomed the public and indicated the Board looked forward to hearing their comments. He indicated it was nice to see the police officers present and asked that everyone remember the men and women in the armed services in prayer. He led the Pledge of Allegiance.

B. Recognition of Patrolman Michael Sciangula

ESHBACH Chief Eshbach asked Chairman Schenck to present the Resolution created to recognize Patrolman Sciangula.

SCHENCK Chairman Schenck read Resolution 08-27 recognizing the many accomplishments of Patrolman Sciangula. His career spanned many years beginning in October, 1980 and he retired on January 8, 2008 after 27 years of service. Chairman Schenck stated that the Township was sincerely thankful for his service. He presented him with a Township mug and pen.

ESHBACH Chief Eshbach stated that he had been an extremely dedicated and loyal employee of Springettsbury Township Police Department. He thanked him for his years of service and presented him with his retirement identification badge, along with his duty firearm.

SCIANGULA Patrolman Sciangula thanked the Township for a great place to work and acknowledged the presence of his parents and District Justice Kessler, along with all the policemen.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck stated that there were no Executive Sessions after the last meeting and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

Suburban Park Apartment Fires

MCCARTHY Joe McCarthy, 2640 Kingston Road, addressed the matter of recent fires at Suburban Park Apartments. He expressed concerned about the fires indicating there could have been many fatalities if they had taken place during the night. Mr. McCarthy reported that he had retired after 42 years of service in the Baltimore City Fire Department and had experience with fires. He was shocked at the number of mentally retarded individuals who reside in that complex. They are not responsible for themselves and can become dangerous and violent at times. He noted the close proximity of two schools. Mr. McCarthy would like to see some kind of restrictions placed on the number of mentally challenged individuals. The neighborhood has very high property value, and many do not feel safe. Mr. McCarthy asked whether Mr. Holman had spoken with the management. He personally had done so and they indicated they were addressing the situation.

HOLMAN Mr. Holman responded that he had met with the managers of the complex.

GURRERI Mr. Gurreri stated that it was nice of Mr. McCarthy to come and agreed that it is a real concern. He did not know what the Board could do, but the Manager will work with them.

MCCARTHY Mr. McCarthy asked whether the Township would be looking into the matter.

SCHENCK Chairman Schenck responded that the Board must be careful in stating that they will look into it as there are a lot of nuances to this activity. Attorney Rausch is thinking of the Fair Housing Act, of which Mr. Schenck indicated he was a huge supporter. There are a lot of agencies involved and he was certain there will be some discussion but the Township could

not take some official action. He understood Mr. McCarthy's concern for the public safety, especially in view of his background in fire safety. All the data is not in yet, and the first information from any incident is never complete or completely right. It will take some time to gather all the correct information.

MCCARTHY Mr. McCarthy added that it costs a lot of money each time the fire and police department personnel come to incidents like this within the Township.

SCHENCK Chairman Schenck responded that he understood.

White Rose Credit Union

WARNER Brad Warner, White Rose Credit Union, 3498 Industrial Drive, wanted to respond to a couple of issues regarding the Temporary Zoning Ordinance. He had intended to come to the 6:30 Public Hearing but had been advised the meeting was at 7 p.m. He commented on several items:

- Ordinance does nothing but protect business from one business to another.
- This was a litigious issue, pushed by attorneys; he did not come with an attorney.
- He felt he was laughed at/treated poorly during the Zoning Hearing Board.
- He was called a liar during the last meeting stating that his conversation was not credible and was uncomfortable with that.
- He cited his credentials indicating his credibility - President and CEO of a \$37 million company, soon to be a \$45 million company with 30 employees, bringing in himself and another CEO of a \$50 million credit union and a Vice President of Lending of a \$100 million credit union.
- Ordinance was silly to start with; new wording including 10X10 space, which makes no sense and seemed like retaliation.
- Ordinance had been addressed 3 times and will be addressed again.

LOWMAN Scott Lowman, 1734 Argyle Drive, commented that he had participated in Cub Scout popcorn sales in front of Sam's Club for two years. He noted that there would be no way of having the boys stay within a 10X10 space. He applauded the Board for the fact that people have the right to live where they want, especially people with disabilities. This is America; and America does not warehouse individuals in institutions any more.

York Food Bank – Christmas Tree Sales

OLSEN Glen Olsen, 50 Mount Vista Court, York Food Bank Christmas Tree Lot Manager. Mr. Olsen presented written copies of his material to the Board. He also provided a series of newspapers for the Board's review. He indicated he appreciated the Board's time in allowing him to speak. His

efforts for the York Food Bank had been turned down by the Zoning Hearing Board on January 3rd, about which he was very upset. His comments are summarized:

- Mr. Holman advised him that his permit to sell Christmas trees was turned down.
- He discussed it with Mr. Rao, who told him if he got enough sympathy from residents and business owners there might be a chance it could be overturned. There was a lot of publicity in the papers as well as television coverage of the donations to the Food Bank.
- Signs – He was advised to get 17 business owners to sign off on the temporary permits for signage.
- Total of \$4,700 was donated to York County Food Bank.
- A 10X10 square foot spot would be much too small for Christmas tree sales.
- Suggested to allow a non-profit organization.

DVORYAK Mr. Dvoryak asked who donated the \$4,700 to the Food Bank.

OLSEN Mr. Olsen responded that it was the individuals who came and bought trees for approximately \$2,200, people who wrote out checks, etc.

DVORYAK Mr. Dvoryak noted that, as a businessman, he sells his trees for a profit.

OLSEN Mr. Olsen stated that he had developed a friendship with Fred Fischer of the York County Food Bank 20 years ago. He had a small “choose and cut” Christmas tree farm up in Mt. Wolf. He had hurt his back and then began selling at the retail lot at Ollie’s. He had been working with Fred Fischer on this for 20 years.

BISHOP Mr. Bishop stated that he was not sure that answered the question and stated that he had described his activity as a non-profit activity. Mr. Bishop stated he was trying to understand the organization behind the sale of Christmas trees.

OLSEN Mr. Olsen explained that he buys the trees from Strathmeyer, who charges approximately \$20.00 a tree. They try to make a profit of 30%, which puts it at \$26.00, \$27.00. Breaking down all the expenses, \$2.00 of it is given to the Food Bank. He keeps \$1.00 of it for his labor.

SCHENCK Chairman Schenck commented that he applauded anyone who does anything for any non-profit. The fact that Mr. Olsen was donating to the Food Bank was a wonderful endeavor. He assured Mr. Olson that it was never the Township’s intent to hinder that activity. The specific reason the ordinance was on the books for 20 years the way it was was because the Township recognized that it wanted non-profit groups that relied on donations to be able to do that activity. However, there was a lawsuit filed

in a much higher court that went all the way through the Court of Appeals that dictated the Townships could not discriminate between profit and non-profit businesses when it came to temporary sales. It wasn't a local, legal activity, and it was out of the Township's hands. If the Township is challenged, the Township will lose 100% of the ordinance. The thing unique to Mr. Olsen is that he painted a picture of the Board that it is some type of Scrooge against Christmas trees and against charity, which was unfair. Specifically, Mr. Olsen was selling Christmas Trees at that location, not affiliated with the York County Food Bank at all, a long time before the Township passed that ordinance. Up until the Board changed the ordinance that indicated only non-profits could sell in the Township had he chosen to attach the name York County Food Bank to that business. The way Mr. Olsen had portrayed his situation was unfair. Chairman Schenck stated that he appreciated his donations and his spirit. The Township is doing what it can with what it has to work with to solve this problem. It was not the intent to pick on Girl and Boy Scouts or the York County Food Bank and any others who want to raise money for charity. The Township will work within its constraints that are much higher. Chairman Schenck stated that he had individuals approach him who went to the lot in Red Lion, who reported things being said about the Township by Mr. Olsen that were not so. It was frustrating for him to be cast in that light. He indicated that the information stated earlier about the Zoning Officer's comments were not true. The Township is trying to be fair and to make an ordinance that will work.

OLSEN Mr. Olson responded that was all he asked.

SCHENCK Chairman Schenck asked Solicitor Rausch what the case law was that brought about this situation that the Township has to follow.

RAUSCH Solicitor Rausch responded that it was the Commonwealth Court which specifically ruled on a case. He added that Mr. Olsen was not the first who had requested a permit under the new ordinance. It was the individuals who sold fireworks. There was no public outcry about that, the point being that they are a for-profit business. What the Township is attempting to do is balance the law between what they would like and what it is allowed to do. Solicitor Rausch noted that he had sold Christmas trees for Sertoma, and 100% of the sales went to charity, which was truly a non-profit effort.

GURRERI Mr. Gurreri commented that, regardless of what happened, the Township got a lot of bad publicity on this. He commended Mr. Olsen for working with them and giving money to the Food Bank. Mr. Gurreri thought it could be done with a limited number of temporary permits issued. He thought there should be some efforts like this within the Township, such as flower sales, etc. No one else on the Board agreed, but it is the

American way. The enterprise system is alive in this country and it works, but there have to be checks and balances.

BISHOP Mr. Bishop responded to Mr. Gurreri that the problem is that he wanted to be able to pick and choose who would be allowed permits. Unfortunately, the Township does not have that option within the law. The Township is simply trying to play within the required rules, which can't be made up as it goes along.

GURRERI Mr. Gurreri stated that he thought it should be opened up, as he did not believe that many people would participate because there isn't that much profit.

OLSEN Mr. Olsen agreed and indicated it is a lot of planning and hard work. He added that he had simply told people the truth and that any negative comments came from the newspaper.

SCHENCK Chairman Schenck indicated he was the one who stated that the newspapers had the right story. The Board challenged the Solicitor to find a solution to include what it wants to, since the Board is not fundamentally opposed. There can be no discrimination against one or the other, the same as where people live. If it is opened up, there will be six or more tents around the Township selling fireworks on July 4th, and every Saturday or Sunday there will be three or four trailers with sofas and china on vacant lots. It's all or nothing.

OLSEN Mr. Olsen commented that there are people opening up every weekend anyway.

SCHENCK Chairman Schenck noted that as soon as those are opened Township policemen are out closing them down within hours as they are in violation. They don't pay mercantile tax, which goes against the legitimate businesses.

OLSEN Mr. Olsen noted that was why he attempted to go through proper channels.

SCHENCK Chairman Schenck stated that he understood Mr. Olsen's position, but he was not sure that Mr. Olsen understood the Board's position.

OLSEN Mr. Olsen indicated he understood.

DVORYAK Mr. Dvoryak commented that Mr. Olsen could lease a vacant lot next year in Springettsbury Township and sell Christmas trees.

BISHOP Mr. Bishop clarified that it would be a vacant lot that is not something ancillary to some other activity. The lot would not be used for anything

else, and the selling of Christmas trees on the lot would have to be permitted on a temporary basis.

HOLMAN Mr. Holman stated that there are vacant lots where a building can be rented and Mr. Olsen could sell Christmas trees or anything else just like any other business. He added that the fireworks people are investigating renting vacant buildings to sell their fireworks.

OLSEN Mr. Olson thanked the Board.

SCHENCK Chairman Schenck stated that the Board appreciated his position as it is deeply frustrating.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober reported that they are working on the layout of the interceptor at the Meadowlands Pump Station. It will go down through the county property. They are investigating an option that might avoid a railroad crossing, which would be of great benefit. Mr. Schober provided photographs of the Grit building which showed that the roof trusses are up, most of the concrete is poured and the project is moving ahead.

SCHENCK Chairman Schenck commented on the Capital Region Council of Governments.

SCHOBBER Mr. Schober responded that the Capital Region Council of Governments is putting together a consortium of municipalities and authorities who would be interested in providing funds to mount a battle against DEP to really to encourage the legislature to provide funding for these projects. There are 35 municipalities currently.

HOLMAN Mr. Holman added that their effort is based on population for the different municipalities to participate. Springettsbury's cost would be approximately \$2,000 to participate. He had heard Mr. Schober's presentation at the Manger's meeting with regard to this program. The Manager's Association recommended participation. The main goal is to get the state to help pay for some of these improvements, which are mandated.

BISHOP Mr. Bishop noted that seemed to be the confusing part because there are a number of individuals in other municipalities, who generally think it doesn't have to be done. Mr. Bishop questioned whether they could afford it.

SCHOBER Mr. Schober stated that the law supporting the Chesapeake Bay Strategy was somewhat tenuous and could be challenged. The problem is even if the battle were won, EPA is going to step in with their TMDL requirements on the whole watershed and those requirements are going to be even more strict than what had been proposed under the Chesapeake Bay Strategy. EPA accepted DEP's approach on the Bay Strategy and that approach was somewhat more liberal and a little easier to get to than what EPA would dictate if DEP was not successful.

HOLMAN Mr. Holman indicated that the goal would be to get the state to offset some of the costs associated with it and to get a hearing especially with items such as chlorination. If the Township would have to eliminate the use of chlorination and use ultra-violet light, then the costs will be approximately \$3 million additional dollars over and above what had been budgeted for the project.

SCHENCK Chairman Schenck commented that he attended the legislators luncheon last week and he had discussed the issue with State Senator Pat Vance. She had spoken openly about it and indicated that the percentage of nitrogen contributed to the Bay from sewer plants is approximately 7% total and yet the municipalities are being tasked with 100% of the clean up costs. Senator Vance's position is not being supported by her legislators.

SCHOBER Mr. Schober noted that Senator Vance had co-sponsored a bill. DEP's position was that 184 sewer plants will cost approximately \$190 million.

SCHENCK Chairman Schenck noted that he had heard Harrisburg's cost was \$50 million alone.

SCHOBER Mr. Schober stated that it would be closer to \$1 billion to \$1.5 billion. Maryland and Virginia had gone through the process with well over \$1 billion cost. He questioned why DEP is holding the \$190 million price tag. The Capital Region Council of Governments wants to investigate the numbers. PMA was working on documenting the new numbers, but the whole legislature is really not aware of what the numbers are going to be. They will begin hearing from the rate payers soon because the numbers are being released. Individual municipalities and authorities are realizing 20 and 30% rate increases.

SCHENCK Chairman Schenck asked whether there was a downside to supporting the potential.

SCHOBER Mr. Schober responded that he did not think there was a downside. They might attempt to get the law struck or perhaps stretched out a few extra years, which EPA would probably be amenable to along with obtaining funding.

- SCHENCK** Chairman Schenck asked about the time line if concessions were made. The Township's current process is moving ahead on an implemented time line. He asked where the Township would stop work.
- SCHOBBER** Mr. Schober stated that there would not be much benefit because construction costs increase every year and seem to be outpacing inflation. The benefit is to stretch it out more and then there would not be a rush of construction contracts coming in with not enough contractors, which really escalates costs and engineering costs.
- HOLMAN** Mr. Holman commented that, as part of the project, they are requesting letters of retroactivity to help reimburse costs that have already been incurred by municipalities that have moved forward.
- SCHENCK** Chairman Schenck commented for the public's knowledge that the Springettsbury plant is an award-winning plant. The outflow from the Township's sewer plant had always far exceeded the requirement. The governors of Pennsylvania and Maryland agreed to this initiative to get the nitrogen out of the Bay, and they're attacking sewer plants. Chairman Schenck's opinion was that it was simply because the sewer plants can be measured. They are tightening up the standards on how much nitrogen can be discharged and the cost just for the Springettsbury Township plant is \$30 million on a plant that operates on an \$8 million budget per year. He asked for the Board's direction.

Consensus of the Board was to authorize the \$2,000 to join the consortium.

B. Civil Engineer – First Capital Engineering

- LUCIANI** Mr. Luciani reported several updates to his written report. The Public Works Building project was nearly complete. Heritage Hills traffic signal will be discussed later on the agenda. He provided a brief explanation of the Interchange Overlay District. The Longstown Intersection is a three-municipality improvement with Springettsbury, York and Windsor Townships. Mr. Luciani and Mr. Holman had been meeting with the managers, engineers from other townships, PennDOT, the County and Representative Stan Saylor. The discussion is about a continuous loop from Windsor going west down Prospect Road to 83, and there was discussion about access management, such as having additional traffic rights. The County asked for a consensus from the municipalities as to whether or not they would be a party to an agreement not to allow any future additional access points or signals. Going from the municipal boundary line at Heritage Hills to 83, he could not foresee any potential for an additional signal. Movements had been restricted at Gabriel Plaza.

Other than Plymouth road, that would be the only potential signalized intersection.

HOLMAN Mr. Holman stated that the Interchange Overlay District would run from Eastern Boulevard on Edgewood Road up to Windsor Road and then from 24 and 124 down to Haines Road, and/or all the way through to the 83 ramp. The idea would be to plan the improvements as a group from all the municipalities that are impacted. Mr. Holman asked whether the Board members would be interested in Mr. Luciani and him continuing to meet with and work on this type of improvement. If there are major changes, all the municipalities would be made aware of it and would have input in order to manage the traffic flows in that area. This was spearheaded by the County and at Representative Saylor's request.

BISHOP Mr. Bishop asked whether there was any downside.

HOLMAN Mr. Holman responded that there was no downside. It would include mostly rural development, county and state roads and would keep Springettsbury informed with the ability for input that would affect traffic.

GURRERI Mr. Gurreri noted it would be working regionally.

Consensus of the Board was for Messrs. Holman and Luciani to be involved in the Interchange Overlay District discussions.

LUCIANI Mr. Luciani noted two other items. York Container's project will be discussed later in the Agenda. He noted that there was a field meeting with their consultant and the owner which was very valuable with a solution to make the sidewalks work. In addition, Mr. Luciani, Mr. Holman and Mrs. Gilfillan had been working together to obtain some government grants. They had a very good meeting in Washington and had since received Senator Specter's fiscal appropriation worksheet. They met with several people they knew in Senator Specter's, as well as Senator Casey's office. Mr. Luciani thought the meeting was very valuable. They were specifically targeting Northern Way and Market Street, but there could be opportunities for other funding.

HOLMAN Mr. Holman stated that this will be the third application for grants for Northern Way and Market. They have had support from everyone; however, they wanted to go to Washington to highlight the need.

5. CONSENT AGENDA

- A. Regular Payables as Detailed in the Payable Listing of January 24, 2008**
- B. Acknowledge Receipt of Auditor General's Liquid Fuels Tax Fund Examination Report for the year ended December 31, 2005**

- C. Acknowledge Receipt of December 31, 2007 Treasurer's Report**
- D. Acknowledge Receipt of December 18, 2007 York Area United Fire & Rescue Commission Meeting Minutes**
- E. LD-07-06 – Time Extension – York Container Company – Plan Expires 2/28/08 (New Plan Date 5/28/08)**
- F. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 2/25/08)New Plan Date 5/26/08)**
- G. SD-07-08 – Time Extension – Chalker/Boice Minor Subdivision – Plan Expires 2/15/08 (New Plan Date 5/15/08).**
- H. LD-07-14 – Time Extension – Furniture Row – Plan Expires 2/21/08 (New Plan Date 5/21/08)**
- I. LD-07-08 – Time Extension – Heritage Hills LD – Plan Expires 2/23/08 (New Plan Date 5/23/08)**
- J. SD-07-07 – Time Extension – Heritage Hills Reverse SD – Plan Expires 2/27/08 (New Plan Date 5/27/08)**
- K. SD-05-13 – Time Extension – Market Street Commons Add-On Lots – Plan Expires 1/26/08 (New Plan Date 4/26/08)**
- L. LD-05-18 – Time Extension – Market Street Commons Add-On Lots – Plan Expires 1/26/08 (New Plan Date 4/26/08)**
- M. SD-06-11 – Time Extension – 3308 Becker Tract Residential – Plan Expires 1/25/08 (New Plan Date 4/25/08)**

SCHENCK Chairman Schenck stated for the public's information that as of the first of the year the Board had started a Consent Agenda. He explained that at every meeting there are some Resolutions and other things that need to be adopted that are routine in nature and require the Board to take some action. The Board knows if there's anything on there that they would like to discuss, they can request that item to be pulled off. He noted that Mr. Gurreri indicated he would like to discuss item N, which will be acted upon separately.

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA A THROUGH M. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

N. Board of Supervisors Regular Meeting Minutes – January 10, 2008

GURRERI Mr. Gurreri added a phrase on the January 10th meeting minutes on page 4, "before the improvements" stating that it is not slippery now.

MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES, JANUARY 10, 2008 AS AMENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT

**A. LD-07-06 – York Container Company Expansion – Plan Expires 2/25/08
(Action)**

RAO Mr. Rao provided background information on LD-07-08, York Container Company Expansion in a memorandum dated January 24, 2008. He stated that the plan was for a proposed building addition within the Flexible Development Zoning District, which was filed under the Old Zoning Ordinance. The purpose of the building expansion is to construct a 60,000 square foot addition to be used for warehousing purposes. The project included an expanded parking area, buffering, an extended northbound turn lane and southbound sidewalk with curbing. He noted that during a meeting on December 13, 2007, the Board had approved two waivers and one modification: Waiver of Minimum Bottom Slope, Preliminary Plan Procedures, and Modification of the SALDO Streetscape Buffer. The applicant had been requested to review the inclusion of sidewalks and come back with a practical design.

Mr. Rao provided a PowerPoint presentation of photographs including the Highlights of the Plan, Plan History, Project Location, Adjoining Zoning District, Aerial View, Present Site View, Present Site Conditions, Proposed Sidewalk and Expansion, North View of YCC Driveway, Proposed Sidewalk, South View of YCC Driveway and Proposed Sidewalk. The applicant was present for possible action. Mr. Rao introduced Dave Koratich, LSC Design, the developer's engineer.

KORATICH Mr. Koratich stated that the big issue during the December 13th meeting was the sidewalk. Messrs. Rao, Holman and he met at the site several weeks ago. They developed a sidewalk on Mt. Zion Road north of the access, which goes to the first cross section. They will request a modification of the grass strip to have one foot versus four, which is required by the Township's construction material specifications. There will be a curb, one foot of grass, a five-foot sidewalk and then the guide rail.

SCHENCK Chairman Schenck asked where the curb line would be located.

KORATICH Mr. Koratich responded that they will locate a portion from the bridge. Three quarters of it will have to be relocated, pushed down the slope slightly, which slope will have to be built up, thus the need for the modification on the north side. On the south side there is 8 to 8-1/2 feet available.

SCHENCK Chairman Schenck asked whether the electrical box will be in the way.

KORATICH Mr. Koratich responded that the 8, 8-1/2 feet will skirt right next to it.

SCHENCK Chairman Schenck asked about the PennDOT portion of the project.

LUCIANI Mr. Luciani responded that discussions had been held with PennDOT with the ultimate pedestrian safety on to that bridge. There is a four-foot shoulder there between the white line and the bridge parapet. The pedestrians will be separated by an eight-inch curb and thus, somewhat protected. PennDOT requires a guide rail if there is not a recoverable slope off the roadway. That will likely be part of their PennDOT HOP submission. There will be a Developer's Agreement with a condition of a PennDOT HOP on the list of conditions. At the same time they must put in a turn lane albeit short. It will likely take about six months to obtain their PennDOT permit. The condition will be the Developer's Agreement.

SCHENCK Chairman Schenck asked about the bus stop and communication with Rabbit Transit.

KORATICH Mr. Koratich responded that he had attempted to contact Rabbit Transit but had been unsuccessful.

SCHENCK Chairman Schenck asked whether the Board would agree with having Mr. Holman set up a meeting with them in order to discuss the need for shelters.

HOLMAN Mr. Holman asked whether he was suggesting a meeting with the Board.

SCHENCK Chairman Schenck responded that he should meet with them one-on-one.

HOLMAN Mr. Holman stated that he and Mr. Luciani had met with Rabbit Transit and they were planning to come in with all their shelters and their master plan, but they had not done so. He and Mr. Luciani will meet with them again.

LUCIANI Mr. Luciani stated that Rabbit Transit is a vendor of Lamar.

HOLMAN Mr. Holman added that Lamar wanted to provide the shelters.

SCHENCK Chairman Schenck stated that he was very pleased with York Container and their developers providing this solution.

MR. GURRERI MOVED TO APPROVE THE PLAN LD-07-06, YORK CONTAINER COMPANY, LAND DEVELOPMENT PLAN, TO APPROVE THE FOLLOWING MODIFICATION:

- **MODIFICATION OF SALDO §289-23.A. SIDEWALKS. APPLICANT WILL NOT INSTALL THE REQUIRED 4-FOOT WIDE GRASS STRIP, BUT A 1-**

WITH REFERENCE TO PLAN LD-07-06, YORK CONTAINER COMPANY LAND DEVELOPMENT, MR. GURRERI MOVED TO APPROVE THE FOLLOWING CONDITIONS:

- **SALDO §289-12.C & 38.C PRIOR TO RECORDING THE PLAN, THE BOARD OF SUPERVISORS SHALL BE ASSURED BY MEANS OF A PROPER COMPLETION GUARANTEE IN AN AMOUNT OF 110% OF THE COST OF THE REQUIRED IMPROVEMENTS;**
- **SALDO §289-68.D, ALL REQUIRED FEES SHALL BE PAID PRIOR TO RECORDING OF THE PLAN FOR ENGINEERING, LEGAL AND/OR ADMINISTRATION COSTS;**
- **A DEVELOPERS AGREEMENT IS APPROVED BETWEEN THE TOWNSHIP AND APPLICANT.**

MR. DVORYAK WAS SECOND.

SCHENCK Chairman Schenck indicated he wanted to be sure that the motion indicated that the one-foot grass strip was only for section of southbound Mt. Zion Road, north of their driveway.

HOLMAN Mr. Holman responded that was the way it was shown on the plan.

BISHOP Mr. Bishop stated for clarification that there was one modification and three conditions.

RAO Mr. Rao indicated he was correct.

MOTION UNANIMOUSLY CARRIED.

B. LD-07-08 & SD-07-07 – Heritage Hills Traffic Light (Mt. Rose Ave & Plymouth Rd) – Plan Expires 2/23/08 & 2/27/08) - Discussion on Waiver Request

RAO Mr. Rao presented representatives from the Heritage Hills Golf and Resort Center to request the Board's consideration for a waiver for the traffic light at Plymouth and Mt. Rose Avenue. He introduced Attorney Ron Perry.

PERRY Attorney Perry stated that the plan is a reverse subdivision plan involving Heritage Hills Resort and specifically the intersection of Plymouth Road and Mt. Zion Road. The township staff has reviewed this along with other parties, and all parties seem to be in agreement that a signal at Plymouth

Road would be a good idea, not only for his client, but also for the Township. He introduced Keith Good with the CGA Engineering Firm and Tom Austin with TRG Traffic Engineers.

GOOD

Mr. Good discussed the Land Development Plan which includes a Reverse Subdivision Plan, both of which had been submitted to the Township. He provided some PowerPoint diagrams showing the existing Heritage Hills Hotel with 104 guest rooms, existing clubhouse, ballroom facility, pub on the lower level and restaurant on the upper level. He stated that the proposed development will include a new structure that will have two levels of parking, one from the lower level of the parking lot and one from the upper level of the parking lot. A 25,000 square foot indoor water park will be added for hotel guests only. There will be additional hotel rooms and additional meeting space as well. He elaborated on other additional amenities. In order to facilitate the overall traffic flow, there were some changes made in the layout of the buildings. Both access intersections fail, and the ordinance requires that traffic improvements be made. Signalizing the intersection on Plymouth Road was proposed, and Tom Austin of TRG conducted a warrant study which revealed that a traffic signal was warranted. They requested direction from the Board as to which way to proceed.

AUSTIN

Mr. Austin stated that the proposal of a signal at Plymouth Road had some history to it dating back to 2002. The Township spent a several hundred thousand dollars toward improving Plymouth Road by adding a right turn lane and working with the adjoining businesses and making improvements in that area. At that time the discussion of a traffic light was mentioned, and it made sense, etc. PennDOT is engineering some significant planned improvements along Mt. Rose Avenue with an approximate cost of \$10 million, which will include widening Mt. Rose Avenue to five lanes. Based on meetings with the department, proposed construction will begin some time during 2010 to 2011. The improvements are long term and include Mt. Rose Avenue, Route 24 and the Mt. Rose Avenue Interchange. During a plan for a Traditional Neighborhood Development in York Township in 2007, the intersection was studied in detail, and again, a signalized intersection was recommended as the main intersection, not only for Heritage Hills, but also for the Traditional Neighborhood Development and allow for possible future connection to Chambers Road. Additionally, there was discussion of eliminating the signal at Chambers Road and connecting with the signal at Plymouth Road.

Points of a lengthy discussion are summarized below:

- Springettsbury Township's side – all intersections including Cambridge and Hartford Roads fail.

- Constant heavy traffic volumes occur especially during peak hours; speeds are significant.
- Changing Chambers Road expensive; potential future improvement.
- Traffic light at Plymouth would allow for connection with Chambers Road; would also include property condemnations.
- Retaining a light at Chambers would make situation more congested; cycle lengths would be changed there, as well as Longstown Road.
- WaWa has a 25% buy-in for the light at Chambers Road.
- Chambers Road signal was a safety fix; York Township not willing to remove that signal.
- Traffic counts at Chambers Road are 200 for one peak hour; 100 turning right and 100 turning left.
- New light at Plymouth would not cause any significant stacking issues.
- Interchange overlay involves Springettsbury, Windsor and York Townships and involves PennDOT.
- Heritage Hills will pay for the signal; bond it for up to 5 years.
- SALDO would be satisfied with traffic improvements/signal.
- Granting a right of way through the area possible under certain conditions.
- Heritage Hills' goal is to design the plan with the light. Project to break ground in 2008.

PERRY Attorney Perry requested the Board to accept their proposal to put a traffic light at Plymouth Road subject to a final decision in the future. Heritage Hills will bond it now, which would be a mitigation that the issue would not arise later in the Land Development process.

RAUSCH Solicitor Rausch responded that once a decision is made, it was decided. He asked how they could design the project for a light and not have the light installed. He thought the Township could be forced to install the light.

PERRY Attorney Perry responded that it would encompass grading and layout issues more than anything else.

RAUSCH Solicitor Rausch noted that the existing entrance does not allow for a left turn and it will be noted on a recorded plan. The Board would be committing to having the light installed. A full movement would show on the main driveway in the plan.

PERRY Attorney Perry proposed two options: Option #1 would be to proceed with the Land Development Plan. The Township would grant a waiver to not provide any traffic improvements and the two driveways would exist as they do currently. Option #2 would be to agree to submit the traffic warrant study to PennDOT to proceed with putting a traffic signal in. If that route is taken, they would like to show that traffic signal on their plan

in order not to hold up the building of the hotel, have that plan recorded with the signal in order to occupy the new buildings.

RAUSCH Solicitor Rausch asked what might happen if the Board decides not to put the traffic light there. Improvements are bonded.

PERRY Attorney Perry responded that when the as-built plan is done, they will show that without the traffic signal.

RAUSCH Solicitor Rausch responded that there would be a recorded plan that shows the signal.

HOLMAN Mr. Holman noted they would have to come back with a revised Land Development Plan.

GOOD Mr. Good responded that Phase One would be without traffic improvements; Phase Two would include the traffic signal and it could be recorded as a phase plan. They are working through the permitting process and desire to move forward.

SCHENCK Chairman Schenck asked whether the Board would want to see the full plan with the traffic signal included.

LUCIANI Mr. Luciani stated that the Planning Commission had recommended to go forward based on the bonding of the traffic light. The light would become part of the Developers Agreement. The recorded plan may not be what actually happens and will have to be dealt with in phases.

PERRY Attorney Perry noted that if the Board indicated yes to a light or to the bonding of a light there, and that never happened and nothing happened other than Heritage put in a bigger parking lot next to that entrance, and the Traditional Neighborhood Development never occurred; Chambers Road connection never occurred, approval has done one thing and that is it has taken an intersection which is failing which meets 4 out of 8 warrants for a light and it is fixed, and it didn't cost the Township anything.

BISHOP Mr. Bishop noted that there are unintended consequences of decisions made. He noted that the due diligence had not been done. He agreed with Attorney Perry that there are potential results.

PERRY Attorney Perry proposed three options when the plan comes before the Board. It can be (1) approved without mitigation, (2) agree with mitigation being the light or (3) restrict movement in some way. He noted that the plan can't be stopped because the facility already is in operation and will continue to operate. The Township can accept the plan and with the light at Plymouth automatically generate a restriction on the existing

entrance and exit. It will be safer. Even though the development would get a head start, the Township has the flexibility to do whatever is necessary to make the area safer.

RAUSCH Solicitor Rausch noted that the 119 units and water park could not be used until the light goes in.

HOLMAN Mr. Holman noted that as he understood it, they were going to ask which way to submit the plan to the Board. As the Board reviews the plan with the light, it goes through the process with the light. Even though the Board is not deciding whether or not the light should go in during this meeting, they're just indicating they want to see it with the light. There are other options that the Board has by the time that is discussed.

AUSTIN Mr. Austin indicated they did not want to go down the road and spend all the time and money to present a plan with which the Board didn't agree. This is just a discussion in order to get direction. The traffic signal is the right thing to do and they are prepared to move ahead with the Land Development Plan. We have the design started and are ahead of the process. It would not take much time to finish things up and get it in to PennDOT.

RAUSCH Solicitor Rausch asked what would happen if, during the review process, the Board would indicate to do the restrictive movement.

GOOD Mr. Good responded that, if the restrictive movement is approved, the plan would be dead. There are thousands of dollars of engineering to design the plan with a signal, and then to turn around and indicate not to include the signal, the stormwater management and a lot of other work would have to be done.

HOLMAN Mr. Holman brought up PennDOT's proposed widening of Mt. Rose Avenue. He reported that the current plan is for construction in 2010 and 2011. They are presently working on the environmental section of it, and they have already identified all the rights-of-way. Meetings are held on a bi-monthly basis for review. The question is whether the light, as designed and installed at Plymouth, will meet the widening of the roadway, which PennDOT will have to provide.

LUCIANI Mr. Luciani noted that PennDOT provided the concept plans, and because this is a state road they would have the wherewithal to propose that section to be a 50 to 60 foot wide road and set those signal poles back. Hopefully that would be coordinated in a similar way to the AMC development. During 2004 when the widening took place, the development had been set up for it.

- AUSTIN** Mr. Austin indicated that the poles would have to be situated back. That was taken into consideration. The intersection can be set up so that there are minimal changes for the signal when the PennDOT project comes through.
- LUCIANI** Mr. Luciani stated that the developer needed direction.
- HOLMAN** Mr. Holman stated that the Planning Commission needed direction.
- BISHOP** Mr. Bishop stated that he guessed that there was a lot of angst about putting up traffic lights anywhere, but he did not share that angst. He continued that if there's an area that is really unsafe, put in a traffic light.
- SCHENCK** Chairman Schenck noted that if the Board is to agree with a concept of a light there, the direction that he really would want to see includes steps made that when this is built, there is no hindrance. He hoped that all of the grading, all the proper rights-of-ways, utilities so when the opportunity at some point in the future comes along to build this road, that's the ultimate plan.
- AUSTIN** Mr. Austin stated that could be included in the Developers Agreement. That's how they would envision handling that.
- GURRERI** Mr. Gurreri noted that a light is needed at Plymouth Road. He did not think two lights, Chambers and Plymouth Roads, were necessary. However, the intersection is failing and something is needed.
- DVORYAK** Mr. Dvoryak stated he was fine with the light.
- BISHOP** Mr. Bishop noted that it must be coordinated with PennDOT.
- AUSTIN** Mr. Austin responded that they would do everything in their power to coordinate with PennDOT and make sure the Township staff is included. He would like to move the plan to PennDOT.
- HOLMAN** Mr. Holman stated that would mean that the Township had signed off and wanted an HOP permit. Normally the Township would not sign off on them until after a plan is approved.
- AUSTIN** Mr. Austin noted that they have the single warrant study and need to get that up to PennDOT for their review. He was confident that they will agree that the light is warranted. That was his recommendation as the next step and as part of that, it is the application for a traffic signal. Mr. Austin recommended passing a Resolution and if possible, this date.

SCHENCK Chairman Schenck responded that the Board did not have sufficient information to do so. If there had been no discussion, Heritage would be presenting a plan. He appreciated their attempting to gain some time.

PERRY Attorney Perry commented that if the Board was indicating it would be approved, and Heritage wanted to do it and agreed to pay for it, they would like to get the process started.

AUSTIN Mr. Austin noted that the request has to come through the Township as they will own and maintain the signal.

SCHENCK Chairman Schenck stated that the Board did not have a plan to review and not enough to indicate everything that is needed for an application.

HOLMAN Mr. Holman stated that there is direction that Mr. Luciani can take back to the Planning Commission, and that comes up with a full plan. When the Board approves the plan then it is signed. If PennDOT decides after that they don't approve it, that's up to PennDOT. However, the Township does not normally sign off on those Resolutions, etc. until after there's an approved plan.

SCHENCK Chairman Schenck recommended not to forget PennDOT controls that whole interchange.

AUSTIN Mr. Austin responded that they absolutely do, but he was confident that they had covered the bases. They could throw some challenges, but that would put the project behind schedule as well as getting it through the state permitting process.

SCHENCK Chairman Schenck commented that the Board is not opposed to the traffic light. He wanted to be sure to be up front with this and noted the Board had met them halfway.

AUSTIN Mr. Austin responded that they had received the direction they needed.

Consensus was to proceed with the design including the light at Plymouth Road.

7. COMMUNICATION FROM SUPERVISORS

GURRERI Mr. Gurreri met a resident of Keesey Street, who told him there had been an increase in traffic since the changes were made on Kershaw Street. The resident wondered what could be done. They intended to come to the meeting; however, Mr. Gurreri wanted it noted in the minutes that they would like to see a stop sign on their street.

- BISHOP** Mr. Bishop commented on Joe McCarthy's visit to the Board. He had brought specific issues to the Board, and Mr. Bishop wanted to be certain that the Board receives some sort of a full briefing on that situation. The Board has a real responsibility for a careful review.
- HOLMAN** Mr. Holman indicated he had contacted the management, and he wanted to meet with Solicitor Rausch concerning the specifics of the matter.
- BISHOP** Mr. Bishop stated that he wanted a full report to the Board in a public forum so that the public can hear it and the loop could be closed.
- SCHENCK** Chairman Schenck indicated that it needed to be dealt with properly, which at this point there is no assumed way.
- BISHOP** Mr. Bishop stated that he had noticed on the creditor's report for the Fire Company fund that it had roughly over a half million dollars in a non-interest bearing checking account. There doesn't seem to be much activity and there may be a legitimate reason, but it was a question for Mr. Hadge at some point.
- HOLMAN** Mr. Holman indicated he would get a response on the matter.
- DVORYAK** Mr. Dvoryak reported that he had received a call from George Stark and agreed to meet with some representatives of Columbia Gas concerning a replacement of some of their lines in the Fayfield area. They have some concerns where they're actually giving serious consideration to pulling out of that project and not doing the replacements. Mr. Dvoryak had a list of their issues and will meet with Mr. Holman for a review. He offered to be a liaison as he knew that all the items mentioned to him were not the actual facts of the case.
- SCHENCK** Chairman Schenck added that he had received a call as well and he had responded with a voice mail indicating that Springettsbury would be happy to talk with them. There was no return call. Chairman Schenck suggested a meeting with them. He had learned from Mr. Holman that they had been ordered by the PUC to do this work.
- DVORYAK** Mr. Dvoryak commented that, in that case, a pulling out of the project would not carry a lot of weight.
- SCHENCK** Chairman Schenck responded that it would not.
- HOLMAN** Mr. Holman commented that the Township will inspect the roads to be sure that they are restored properly.

- DVORYAK** Mr. Dvoryak indicated that what was conveyed to him was that they were unhappy that the Township sends a third party inspector there to inspect their gas lines.
- HOLMAN** Mr. Holman stated that the Township does not inspect the gas lines; they inspect the condition of the road restoration before they close the project. They are replacing 25,000 linear feet which will have to be inspected.
- BISHOP** Mr. Bishop noted that they would have to pay for that inspection.
- HOLMAN** Mr. Holman responded that all of it would be part of the permit fee.
- SCHENCK** Chairman Schenck indicated he had read the entire ordinance which referred to PennDOT for all the particulars for state roads.
- DVORYAK** Mr. Dvoryak stated that he could speak to the fee issue as they explained it to him. The key issue boiled down to the two parts to the fee. There's the application fee and the actual excavation fee. They don't take issue with either fee but the way it is applied to them, i.e., charge them for each excavation and application. They feel that our requirements are excessive, since PennDOT and other municipalities only require a one-time application fee.
- SCHENCK** Chairman Schenck stated that the PennDOT documentation was very clear.
- LUCIANI** Mr. Luciani stated that there is a \$50.00 application per cut fee. The Township's stand is if they make two cuts within 100 feet, according to PennDOT regulations, they must relay the road, and they have an issue with that.
- DVORYAK** Mr. Dvoryak stated that the application stated it is per cut.
- LUCIANI** Mr. Luciani stated that the regulations were sent to their legal department.
- HOLMAN** Mr. Holman indicated that the Township agreed with them and they are absolutely right. The escrow would be applied, but these are the fees, which cover the administrative and inspection costs.
- LUCIANI** Mr. Luciani stated that this is a one-year project, and before they can cover the road, it is necessary to map where the cuts are. The Township will GPS map the cuts, so there's a settlement there. The Gas Company can't just spray paint where the cut is anymore.
- SCHENCK** Chairman Schenck added that the PennDOT regulation indicated it has to be there for three years to maintain the numbers.

- LUCIANI** Mr. Luciani stated that they have beautiful mapping. The Township intended to make the cuts on the GPS mapping. As a result if there is settlement it will be easy to determine the exact location for repair.
- HOLMAN** Mr. Holman added that the Township will provide the GPS coordinates to Columbia Gas.
- SCHENCK** Chairman Schenck asked Mr. Dvoryak if he had any further thoughts as to a way of meeting them.
- DVORYAK** Mr. Dvoryak responded that he did not. He was conveying the message that he had been given from them with their concerns. He boiled it down to what he thought were the two main issues they had. He will take what he learned and get back to them and determine their response.
- GURRERI** Mr. Gurreri thanked Mr. Dvoryak for taking the time to do so. Mr. Gurreri commented that Steve McDonald was present from Lancaster and thanked him for coming. He asked him what office he held in Lancaster.
- MCDONALD** Mr. McDonald responded that he was Lancaster County Recorder of Deeds.
- SCHENCK** Chairman Schenck thanked him for coming as well and stated that it was much easier from the back of the room.
- SCHENCK** Chairman Schenck reported that following the fire at Suburban Park he had stopped at the Springettsbury Fire Hall. The American Red Cross was set up, and they were helping residents and making arrangements for hotel rooms, working with the management of the apartment complex. It turned out that the complex had enough vacant apartments that they could accommodate everybody for the short term work. The Red Cross Volunteers were Bob Straw and Mitzi Campbell. They had the kitchen up and were preparing food. In a very short time the fire company was willing to accommodate those situations, and there was a power outage in one of the other big apartment buildings that caused evacuation of lots of elderly people. The Fire Company is pleased to support them but isn't really fully equipped for that. I don't know what will come of that, but it was nice to see everybody working together and it made him very proud.

8. SOLICITOR'S REPORT

- RAUSCH** Solicitor Rausch did not have anything to add to his written report. He wanted to clarify one item for the record with regard to the President of White Rose, Brad Warner, and his comment that he was called a liar at the Zoning Hearing Board meeting, following which they made a

determination that they weren't credible. Mr. Warner took that as being called a liar. The issue that the Zoning Hearing Board had to decide was whether or not the sale of used cars was customary and incidental to the business and the determination was that it was not. That was the issue, and nobody at the Zoning Hearing Board called him a liar. Solicitor Rausch wanted to be sure that the record was clear.

SCHENCK Chairman Schenck noted a specific item in Solicitor Rausch's report, to which he asked him to stay very close.

RAUSCH Solicitor Rausch responded that they are proceeding. He has an attorney so they will be a meeting to sort through the paperwork and determine what violations and/or non-conforming uses exist on the property.

RAO Mr. Rao indicated he sent an inspector to the property.

RAUSCH Solicitor Rausch indicated there are a number of floodway issues.

LUCIANI Mr. Luciani noted that nothing can be stored in a floodway as it will certainly flood.

HOLMAN Mr. Holman added that building up from a floodway is not permitted either.

SCHENCK Chairman Schenck asked for a status on the logging operation.

RAO Mr. Rao responded that a court date had been set for February 15th for him to plead his case in front of a DJ. Logging and mulching is not a permitted use in that zoning district and the owner is bringing in outside logs.

HOLMAN Mr. Holman stated that a lumber yard is being created.

9. MANAGER'S REPORT

HOLMAN Mr. Holman reported that he had spoken with Jim Baugh, Hallam Township Manager, with regard to the farm sold in Hallam and the Trout Run Road proximity. Mr. Baugh indicated no plans had been submitted with regard to the property. Mr. Baugh is aware of the condition of Trout Run Road, and if something is submitted he would make Springettsbury aware of it as a neighboring township.

GURRERI Mr. Gurreri asked about the status of the Centax project.

HOLMAN Mr. Holman responded that he has another meeting scheduled with Centax and he wanted to bring Solicitor Rausch in to try and bring that to closure.

10. ORDINANCES AND RESOLUTIONS

**A. Ordinance No. 08-01 – Amending Zoning Ordinance Section 325-131 –
Temporary Use and Structure to Provide for Special Sales Promotions by
Non-Occupants under Certain Conditions**

SCHENCK Chairman Schenck noted that Ordinance No. 08-01 was advertised and a Public Hearing had been held.

SCHENCK Chairman Schenck responded that there would be an impact of that statement to do nothing.

DVORYAK Mr. Dvoryak reiterated his previous comment. He did not believe this particular ordinance goes far enough. However, he indicated his support this date because it is at least a step in the right direction. He challenged the staff and the Solicitor to continue working, perhaps with the PSATS information, to see if there isn't something better.

GURRERI Mr. Gurreri urged them to also work with the Planning Commission.

BISHOP Mr. Bishop agreed 100% with Mr. Dvoryak.

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 08-01
AMENDING ZONING ORDINANCE SECTION 325-131. MR. BOWMAN WAS
SECOND. MOTION CARRIED 4/1. MESSRS. BOWMAN, BISHOP, SCHENCK
AND DVORYAK VOTED IN FAVOR; MR. GURRERI VOTED AGAINST.**

SCHENCK Chairman Schenck noted for clarity that the Board really wanted the staff and solicitor to keep working as this is not the end.

B. Ordinance No. 08-02 – Vacating Portion of Stone Ridge Road

SCHENCK Chairman Schenck noted that the ordinance had been advertised and a Public Hearing was held. The affected person stated they were in favor of this.

GURRERI Mr. Gurreri stated that he thought the new ordinance was too restrictive and should go back to the drawing board.

**MR. DVORYAK MOVED TO ADOPT ORDINANCE 08-02 VACATING A
PORTION OF STONE RIDGE ROAD. MR. BISHOP WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

SCHENCK Chairman Schenck noted for the minutes that the critical question had been asked as to the desire of the affected individual who expressed that she wanted the portion vacated.

C. Resolution No. 08-27 – Recognition of Patrolman Michael Sciangula

MR. GURRERI MOVED TO APPROVE RESOLUTION 08-27 RECOGNITION OF PATROLMAN MICHAEL SCIANGULA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 08-28 – ADA Improvements for Fayfield, Kingston and Camp Security Parks (Application for DCNR Grant)

HOLMAN Mr. Holman stated that the original application was sent to DCED. At that time the Township was requested to apply to the DCNR because funding was available there. It will be a simple matter of revising where the grant application is sent.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-28, ADA IMPROVEMENTS FOR FAYFIELD, KINGSTON AND CAMP SECURITY PARKS APPLICATION FOR DCNR GRANT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 08-29 – Amending Township Fee Schedule (Setting Fee for Temporary Use and Structure Permit at \$5)

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-29 AMENDING TOWNSHIP FEE SCHEDULE SETTING FEE FOR TEMPORARY USE AND STRUCTURE PERMIT AT \$5.00. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. OLD BUSINESS

There was no Old Business for discussion.

12. NEW BUSINESS

A. Motion to Approve Transfer of \$10,491.23 from 2007 General Fund Revenues to Recreation Trust Fund for Park Improvements/Events

HOLMAN Mr. Holman reported that throughout the summer and thanks to Saturday In The Park, the Township generated \$10,491.23 more through the program than was actually needed for costs. He requested approval from the Board to transfer that fund into the Recreation Trust Fund which will be used for future Saturdays In The Park and/or for park improvements,

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 24, 2008
APPROVED**

which is the policy of the Township with any additional funds that are raised for that. He needed the Board's approval to transfer the funds.

MR. DVORYAK MOVED TO APPROVE THE FUND TRANSFER OF \$10,491.23 FROM THE 2007 GENERAL FUND REVENUES TO THE RECREATION TRUST FUND FOR PARK IMPROVEMENTS/EVENTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 10:30 p.m.

Respectfully submitted,

John Holman
Secretary
ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 10, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 10, 2008 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
Mike Schober, Environmental Engineer
Jessica Fieldhouse, Senior Planner – First Capital Engineering
Harish Rao, Economic and Community Development
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Chief, Police Department
Sandy Ratcliffe, Deputy Finance Officer
Teri Gilfillan, Grants and Public Relations/Events Specialist
Dan Hoff, Interim Fire Chief
Jean Abrecht, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 7:05 p.m. and welcomed the attendees. He asked Mr. Gurreri to lead the Opening Ceremony.

A. Opening Ceremony

GURRERI Mr. Gurreri wished everyone a Happy New Year. He congratulated and thanked the new officers of the Board for their election and thanked them for their service to the Township. Four of the members have full-time positions in addition to their Supervisory duties. He asked the attendees to remember the men and women in the armed services in their prayers.

Mr. Gurreri led the Pledge of Allegiance.

B. Loyalty Oath – Patrolman Cory Landis

ESHBACH Chief Eshbach introduced Cory L. Landis and provided background information on his education and experience. Chief Eshbach reported that Patrolman Landis' employment will begin on Monday, January 14, 2008.

SCHENCK Chairman Schenck led him in the Loyalty Oath.

ESHBACH Chief Eshbach presented Patrolman Landis with his official police identification, Badge Number 12, and congratulated him.

SCHENCK Chairman Schenck congratulated him as well and introduced him to the Board members.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since the last meeting and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS:

STUHRE Charles Stuhre, 3680 Trout Run Road, brought forward several items:

- He reported that he had read in the newspapers that a 125-acre farm in Hellam Township had been sold. The farm was bounded by Range Road and Trout Run Road. Mr. Stuhre expressed his concern for future development and the need to bring heavy equipment in over Trout Run Road, which will not accommodate heavy trucks. He requested the Township to seriously consider placing a weight limit on the road to force the builder to use the Hellam Township entrance roads.
- Mr. Stuhre reported that the York Newspaper Company had been scattering the Township with unsolicited newspapers, some on properties where no one lives. He had called the newspaper with no success.
- Mr. Stuhre thanked the Board and the Township Engineer for every effort made to place lines on the intersection of Concord Road and Mt. Zion Road, which aid the eastbound traffic to negotiate the turn.

SCHENCK Chairman Schenck thanked him for his comments. He asked whether it would be advantageous to address the Trout Run Road situation proactively.

HOLMAN Mr. Holman responded that he would discuss it with Mr. Lauer, as well as with Hellam Township Manager, Jim Baugh.

RAUSCH Solicitor Rausch commented that it would be possible to request a traffic study.

4. ENGINEERING REPORTS:

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober thanked the Board for re-appointing Buchart-Horn as Environmental Engineer and looked forward to working with the Township in 2008. He reported a few updates to his written report:

- Grit Removal Project – A meeting was held with the contractor to review progress and keep the project moving forward. He stated that the project is

slightly behind schedule as the joists for the building had not been delivered and the building will not be under roof until next week. Extra crews will be brought in to get the pipeline work started. Mr. Schober forecasted that the project will not be completed until mid-April.

- Meadowlands Pump Station was flown for the mapping. The Interceptor will be laid out.
- Collection System Improvements - New bid specs for the sewer repair, as well as the developers specifications, have been completed and given to the Township staff for review.

B. Civil Engineer – First Capital Engineering

FIELDHOUSE Ms. Fieldhouse stated that she had nothing to add to the written report.

SCHENCK Chairman Schenck noted that in Mr. Luciani's report he mentioned the concepts that were discussed with York Container. There was a drawing provided, but it was such a poor copy he was unable to understand it.

HOLMAN Mr. Holman reported that a meeting will be held with York Container on January 11th at two o'clock, to walk the site and use the map. There is a proposed sidewalk.

5. CONSENT AGENDA

- A. Dueck Construction – Request for Payment No. 1 – Public Works Storage Building in an amount not to exceed \$98,883.**
- B. B & R Electrical Contractors, Inc. – Request for Payment No. 4 – Grit Removal Improvements Project in an amount not to exceed \$2,678.40.**
- C. Johnston Construction Co. – Request for Payment No. 4 – Grit Removal Improvements Project in an amount not to exceed \$308,798.32**
- D. TMI Commercial, Inc. – Request for Payment No. 1 – Grit Removal Improvements Project in an amount not to exceed \$94,301.75**
- E. Regular Payables as Detailed in the Payable Listing of January 10, 2008.**
- F. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 1/26/08 (New Plan Date 4/25/08).**
- G. Board of Supervisors Budget Work Session Minutes – November 14, 2007**
- H. Board of Supervisors Regular Meeting Minutes – December 13, 2007**
- I. Acknowledge Receipt of November 30, 2007 Treasurer's Report**
- J. Resolution No. 08-26 – MPOETA Basic Training – Patrolman Cory Landis**

SCHENCK Chairman Schenck stated that at the end of 2007 the Board had discussed the idea of using a Consent Agenda. The Board members agreed to it and it is being implemented. He explained that there are some routine, but important, matters that are required. Within a Consent Agenda, all the items are listed and they will be acted upon with one vote. If any one Board member would like to have further discussion or have the opportunity to vote no on any one of the items, they simply

make the request and the item will be pulled in order to be acted upon separately. Chairman Schenck will offer time for public comment.

GURRERI Mr. Gurreri suggested that the minutes of meetings should be placed at the bottom in the event that there might be additions or corrections.

SCHENCK Chairman Schenck agreed that items on the minutes could be last items on the Consent Agenda. He asked whether there were any items to be moved off the Agenda. He also asked for public comment on any of the items. Hearing none, he called for a Motion.

MR. GURRERI MOVED TO APPROVE THE CONSENT AGENDA, A THROUGH J. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. COMMUNICATIONS FROM SUPERVISORS:

BOWMAN Mr. Bowman reported that he had a comment/complaint concerning the timing of lights at Concord Road at Mt. Zion Road heading west. The motorist seemed to think it allowed only enough time to get two cars through.

HOLMAN Mr. Holman responded that he would go out and check. He added that he had received complaints on every turning movement there including going straight through. He and Mr. Lauer will check on it.

GURRERI Mr. Gurreri reported that he had a resident complain about the intersection being too smooth causing tires to slip before the improvements.

BOWMAN Mr. Bowman echoed the compliments on the Public Works Department's job of cleaning up the leaves. They really did a good job. He added that the trash haulers are doing well too. He had not heard of any problems after the first week.

HOLMAN Mr. Holman added that it was going much better than expected due to very good planning and hard work.

BOWMAN Mr. Bowman reported that a resident complained to him about the property at 1730 Valley Vista Drive where the yard is filled with junk. The neighborhood residents are concerned.

RAO Mr. Rao responded that he would send an inspector to the property.

7. SOLICITOR'S REPORT:

RAUSCH Solicitor Rausch stated that a conference was called this afternoon, January 10th, regarding the A. A. Meyers case between Judge Renn and counsel. A trial will not begin until April, 2008 if there is no other resolution.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 10, 2008
APPROVED**

8. MANAGER'S REPORT:

HOLMAN Mr. Holman stated he had nothing further to add to his written report.

9. OLD BUSINESS:

There was no Old Business for discussion.

10. NEW BUSINESS:

GURRERI Mr. Gurreri suggested that consideration should be given to eliminating the first meeting in January in 2009. Business could be conducted on the same date as the Reorganization meeting or during the second meeting of the month.

11. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 7:20 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 7, 2008
APPROVED**

The Board of Supervisors of Springettsbury Township held a Reorganization Meeting on Monday, January 7, 2008 at 5:30 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

MEMBERS NOT

IN ATTENDANCE: Nick Gurreri

ALSO IN

ATTENDANCE: John Holman, Township Manager
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. OATH OF OFFICE – Donald P. Bishop and Michael R. Bowman

SCHENCK Acting Chairman Schenck stated that two new members would be sworn in prior to the start of the meeting.

BOWDERS Ms. Dori Bowders led Messrs. Bishop and Bowman in the Oath of Office.

2. CALL TO ORDER:

SCHENCK Acting Chairman Schenck called the meeting to order at 5:30 p.m. He congratulated Don Bishop and Mike Bowman for their election to the Board. He led the Pledge of Allegiance.

2. ELECTION OF OFFICERS:

A. Chairman of the Board of Supervisors
Current Chairman: Bill Schenck

MR. DVORYAK NOMINATED BILL SCHENCK AS CHAIRMAN OF THE BOARD OF SUPERVISORS. MR. BOWMAN WAS SECOND.

MR. BISHOP MOVED THE NOMINATION BE CLOSED. MR. DVORYAK WAS SECOND. NOMINATION UNANIMOUSLY CARRIED.

A. Vice Chairman of the Board of Supervisors
Current Vice Chairman: Don Bishop

**MR. BOWMAN NOMINATED DON BISHOP. MR. DVORYAK WAS SECOND.
NOMINATION UNANIMOUSLY CARRIED.**

- B. Assistant Secretary/Treasurer**
Current Assistant Secretary/Treasurer: George Dvoryak

**MR. BISHOP NOMINATED GEORGE DVORYAK. MR. BOWMAN WAS SECOND.
MR. BOWMAN MOVED TO CLOSE THE NOMINATION. MR. BISHOP WAS
SECOND. NOMINATIONS UNANIMOUSLY CARRIED.**

4. APPOINTMENT OF BOARD DELEGATES

- A. Appointment of Delegates and Voting Delegate to the PSATS Annual Convention**

Current Delegates: Bill Schenck, Don Bishop, Mike Bowman, Nick Gurreri and George Dvoryak
Current Voting Delegate: Nick Gurreri

**MR. BISHOP MOVED TO CONTINUE WITH THE PREVIOUS DELEGATES. MR.
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

5. RESOLUTIONS:

- A. Resolution No. 08-01 – Appointment of Township Solicitor**
Current Solicitor: Blakey, Yost, Bupp & Rausch, Charles Rausch, Esquire

**MR. DVORYAK MOVED FOR ADOPTION OF RESOLUTION NO. 08-01,
APPOINTMENT OF TOWNSHIP SOLICITOR, BLAKEY, YOST, BUPP & RAUSCH.
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Resolution No. 08-02 – Appointment of Township Civil Engineer**
Current Engineer: First Capital Engineering, John Luciani, P.E.

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 08-02, APPOINTMENT OF
TOWNSHIP CIVIL ENGINEER, FIRST CAPITAL ENGINEERING. MR. BISHOP
WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 08-03 – Appointment of Township Environmental Engineer**
Current Engineer: Buchart-Horn, Inc., Michael Schober, P.E.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-03,
APPOINTING BUCHART HORN, INC., MICHAEL SCHOBBER AS ENVIRONMENTAL
ENGINEER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 08-04 – Appointment of Township Secretary**
Current Secretary: John J. Holman

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-04 APPOINTING TOWNSHIP SECRETARY, JOHN HOLMAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**D. Resolution No. 08-05 – Appointment of Township Treasurer
Current Treasurer: Jack Hadge**

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-05, APPOINTMENT OF TOWNSHIP TREASURER, JACK HADGE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**E. Resolution No. 08-06 – Appointment of Vacancy Board Chair
Current Chairman: Jeffrey Lobach**

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-06, APPOINTING JEFFREY LOBACH AS VACANCY BOARD CHAIRMAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**F. Resolution No. 08-07 – Appointment of Police Pension Fund Chief Administrative Officer
Current CAO: John J. Holman**

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-07, APPOINTING JOHN HOLMAN AS POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**G. Resolution No. 08-08 – Appointment of Fireman’s Pension Fund and Non-Uniformed Employee Pension Fund Chief Administrative Officer
Current CAO: John J. Holman**

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-08 APPOINTING JOHN HOLMAN AS FIREMAN’S PENSION FUND AND NON-UNIFORMED EMPLOYEE PENSION FUND CHIEF ADMINISTRATIVE OFFICER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**H. Resolution No. 08-09 – Appointment of Sewage Enforcement Officer
Current SEO: Bradley Hengst – David Brown and John Luciani, Alternates**

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-09, APPOINTMENT OF BRAD HENGST AS SEWAGE ENFORCEMENT OFFICER AND DAVID BROWN AND JOHN LUCIANI AS ALTERNATES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

I. Resolution No. 08-10 – Appointment of Representative to York Adams Tax Bureau

**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 7, 2008
APPROVED**

Current Representative: Jack Hadge
Current Alternate: Sandy Ratcliffe

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-10,
APPOINTMENT OF REPRESENTATIVE TO YORK ADAMS TAX BUREAU, JACK
HADGE WITH ALTERNATE SANDY RATCLIFFE. MR. BOWMAN WAS SECOND.
MOTION UNANIMOUSLY CARRIED.**

- J. Resolution No. 08-11 – Appointment of Representative to Springettsbury Township
Volunteer Fire Company**
Current Representative: Bill Schenck

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-11,
APPOINTMENT OF BILL SCHENCK AS REPRESENTATIVE TO
SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY. MR. BISHOP WAS
SECOND. MOTION UNANIMOUSLY CARRIED.**

- K. Resolution No. 08-12 – Appointment of Representative to Local Government
Advisory Committee**
Current Representative: Bill Schenck
Current Alternate: Nick Gurreri

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-12
APPOINTING NICK GURRERI AS REPRESENTATIVE TO LOCAL GOVERNMENT
ADVISORY COMMITTEE. MR. DVORYAK WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

Consensus was not to appoint an alternate as all members are invited to participate in the meetings.

- L. Resolution No. 08-13 – Appointment to Zoning Hearing Board (5 Year
Appointment)**
Expired Terms: Dale Achenbach and James Deitch

**MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-13 TO
APPOINT DALE ACHENBACH AND JAMES DEITCH TO THE ZONING HEARING
BOARD FOR A FIVE-YEAR TERM. MR. BOWMAN WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

- M. Resolution No. 08-14 – Appointment to Planning Commission (4 Year Appointment)**
Expired Terms: Mark Swomley and William Bender

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-14 –
APPOINTMENT OF MARK SWOMLEY AND WILLIAM BENDER TO THE
PLANNING COMMISSION FOR A FOUR-YEAR TERM.**

**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 7, 2008
APPROVED**

- N. Resolution No. 08-15 – Appointment to Park and Recreation Board (4 Year Term)**
Expired Terms: Stephen Wolf and Sylvia Weber

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-15, APPOINTING STEPHEN WOLF AND SYLVIA WEBER TO A FOUR-YEAR TERM ON THE PARK AND RECREATION BOARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- O. Resolution No. 08-16 – Appointments to Recycling Committee (No Term Length – Annual Appointment)**

Current Members: Ron DiAngelo, Stephen Baker, Penny Dellinger, Deb Bixler, William Greenawalt, Charles Stuhre and Paul Taccetta

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-16, APPOINTMENTS TO RECYCLING COMMITTEE: RON DIANGELO, STEPHEN BAKER, PENNY DELLINGER, DEB BIXLER, WILLIAM GREENAWALT, CHARLES STUHRE AND PAUL TACCETTA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- P. Resolution No. 08-17 – Appointing Members to Historic Preservation Committee (No Term Length – Annual Appointment).**

Current Members: Mary Ellen Monson, Lois Miller, Luther Sowers, Stephen Keener, June Frick, and Arlene Dietz Imes.

Proposed: Mary Ellen Monson, Lois Miller, Luther Sowers, June Frick and Arlene Dietz Imes.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-17 – APPOINTING MARY ELLEN MONSON, LOIS MILLER, LUTHER SOWERS, JUNE FRICK AND ARLENE DIETZ IMES TO HISTORIC PRESERVATION COMMITTEE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop inquired whether anyone monitors this Committee.

HOLMAN Mr. Holman responded that the meetings are monitored and attended, and Minutes are prepared. Both Angela Liddick and Mr. Holman attend.

- Q. Resolution No. 08-18 – Approval of Bank Account Signatories**

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-18. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- R. Resolution No. 08-19 – Designation of Depositories and Safety Deposit Box**

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-19. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

S. Resolution No. 08-20 – Designation of Zoning Officer and Deputy Zoning Officer.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 08-20 DESIGNATING HARISH RAO, ZONING OFFICER AND JOHN LUCIANI, DEPUTY ZONING OFFICER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

T. Resolution No. 08-21 – Appointment of Building Official and Deputy Building Official.

Current Building Official: Harish Rao
Current Deputy Building Official: Vacant

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-21 APPOINTING HARISH RAO AS THE BUILDING OFFICIAL AND JOHN LUCIANI DEPUTY BUILDING OFFICIAL. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

U. Resolution No. 08-22 – Establishment of Treasurer Bond

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 08-22 ESTABLISHING THE TREASURER’S BOND IN THE AMOUNT OF \$2 MILLION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

V. Resolution No. 08-23 – Appointment of Personnel Attorney

Current Personnel Attorney: Ballard Spahr Andrews & Ingersoll, LLP – Patrick Harvey, Esquire

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 08-23 APPOINTING BALLARD SPAHR ANDREWS & INGERSOLL, LLP, PATRICK HARVEY, ESQUIRE AS PERSONNEL ATTORNEY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

W. Resolution No. 08-24 – Appointment of Landscape Architect

Current Architect: Yost, Strodski, Mears

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION NO. 08-24 APPOINTING YOST STRODSKI MEARS AS LANDSCAPE ARCHITECTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

X. Resolution No. 08-25 – Appointment of Certified Public Accountant Auditing Firm

Current: Sager, Swisher and Company, LLP

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 08-25, APPOINTING SAGER, SWISHER AND COMPANY AS CPA AUDITING FIRM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 7, 2008
APPROVED**

6. OTHER ITEMS:

- A. Set Dates and Time for Regular Meetings of Board of Supervisors (second and fourth Thursday of each month, except June, July and August – 4th Thursday only, November and December – 2nd Thursday only – 7:00 p.m.)**

Discussion:

- 1. November (proposed date Wednesday, November 19, 2008 due to Townships of the Second Class Convention being held on second Thursday in November).**

MR. BISHOP MOVED TO APPROVE DATES AND TIME FOR REGULAR MEETINGS OF THE BOARD OF SUPERVISORS AS LISTED ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 5:55 p.m.

Respectfully submitted,

John Holman
Secretary

ja