

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**DECEMBER 14, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 14, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

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

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:10 p.m. He welcomed the attendees and asked Mr. Gurreri to lead the Opening Ceremony.

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri extended Christmas and New Year greetings to those in attendance. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that no Executive Sessions had been held since the last meeting and none had been scheduled for this date.

**3. COMMUNICATION FROM CITIZENS:**

**Fire Hydrant – Mt. Zion Road**

**SURTASKY** Mr. Anthony Surtasky, 2245 Mt. Zion Road, brought forward an item of concern to him. He provided a photograph of a fire hydrant at the southern corner of his property for the Board's review. He explained that the fire hydrant shown in the photograph, had been in its current condition since September with a fence around it, 23 feet back from its previous

location. He noted that there might be additional work to be completed involving a telephone pole. From his experience as a firefighter, he explained that the first five minutes of a fire are the most critical. In the past Mr. Surtasky personally had kept the area clean around the hydrant; however, he asked for information as to whose responsibility it is to clean around the hydrant. He had inquired of the water company, the fire company and the Township. He requested the Board's guidance.

**SCHENCK** Chairman Schenck responded that, from his knowledge of the issue, there is no responsible party for shoveling out and/or cleaning around hydrants.

**HOLMAN** Mr. Holman offered to contact the contractor and the state engineer responsible for this job. He will provide Mr. Surtasky with an answer.

**SURTASKY** Mr. Surtasky urged the Board to review this particular hydrant due to the fact that it is located in a hole below grade and could be a tremendous hazard in the event of a fire.

**HOLMAN** Mr. Holman noted that the water company is responsible to move hydrants.

**SCHENCK** Chairman Schenck added that it was under the direction of the state in order to clear the right-of-way for improvements being done.

**GURRERI** Mr. Gurreri commented that a hydrant is located in front of his home, which he clears.

**SURTASKY** Mr. Surtasky noted that he had kept the particular fire hydrant clean for many years, but he does not intend to do so in the future especially in the current hydrant location.

**New Subdivision/Land Development/Zoning Ordinances**

**STUHRE** Charles Stuhre, 3680 Trout Run Road, noted the Agenda item pertaining to drafting the new Subdivision and Land Development and Building Ordinances. He suggested placing a moratorium on subdivisions until the new Ordinances are in place. The new ordinance will be more restrictive in certain cases, and some developers might seek to utilize the old ordinance.

**Parking Permits – Hammond Road**

**VECERO** John Vecero, 670 Hammond Road, thanked the Board of Supervisors, Mr. Holman and Chief Eshbach for what was done for their neighborhood. It really was appreciated.

**Sewer Bills & Envelopes**

**WALKER** Mr. Frank Walker, 1436 North Sherman Street, noted that he had lived in his home since 1986. He read in the newsletter about paying the sewer bills through bank checking accounts. Mr. Walker reported that he had no credit cards and pays his bills by check. Elderly individuals have difficulty writing out checks and envelopes. They would appreciate a self-addressed envelope provided with the sewer bill.

**Neighborhood Nuisance**

**WALKER** Mr. Walker stated that he had approached the Township two years ago concerning his right to put a fence up around his property due to the negligence of his neighbor. He was denied the right to erect the fence. He reiterated complaints concerning the neighbor and the continuing problem.

**HOLMAN** Mr. Holman responded that he had visited the property a number of times. He offered to visit the property with Mr. Rao and investigate any business that might be going on there.

**GURRERI** Mr. Gurreri commented regarding the envelope with the sewer bill. He had heard several individuals request the same and indicated they would not mind paying more to have the envelope included.

**WALKER** Mr. Walker responded that he would not mind paying more either. He, personally, has tremors and has difficulty writing.

**GURRERI** Mr. Gurreri suggested that it could be reviewed, and if the costs are not prohibitive, it could be offered to the residents.

**HOLMAN** Mr. Holman stated that the design of the bills will be reviewed during the next few quarters.

**Noise Ordinance**

**WALKER** Mr. Walker noted that the townships and boroughs in which he had resided had an ordinance about noise at a certain time of night. He stated that he works three days a week, and he is often awakened about two or three o'clock in the morning with neighborhood noise. He had called the police who visited the property. He wondered whether there is a noise ordinance in effect in Springettsbury Township.

**SCHENCK** Chairman Schenck responded that there had been such an ordinance; however, he did not think it was still in place due to the difficulty to enforce. He asked for Chief Eshbach's input.

**ESHBACH** Chief Eshbach responded that there is no such ordinance in the Township; however, they handle such problems with the state statute. He assured Mr. Walker that any time he was disturbed, he should call the police department.

**WALKER** Mr. Walker asked what could be done with habitual offenders.

**SCHENCK** Chairman Schenck responded that he could not specifically answer the question; however, he was assured that the police know the habitual problem individuals are and know how to handle them.

**3. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober provided several updates to his written report. A pre-construction conference for the Barwood Road Sewer project was scheduled for December 20, 2006. Shop drawings will be submitted and the contractor expects to begin in mid-January. A pre-final submission was provided to the Township regarding the Long Range Sewer Plan. The Grit Removal Improvements project is progressing with the majority of the process design completed. They

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

**LUCIANI** Mr. Luciani provided an update to his written report. He reported that a construction kick-off meeting had been held regarding Mt. Zion and Deininger. He added that Mr. Surtasky's fire hydrant issue related to that project. The contractor is scheduled to start some time in January and complete the work during August. There are no plans for a detour; however, the work will be coordinated with the Township.

Mr. Luciani reported that a meeting had been held with Windsor Township and York County Planning with regard to the Longstown Road Intersection. Representative Stan Saylor attended the meeting. It is anticipated that there will be multiple lanes coming from Windsor, all of which is under discussion. Preliminary and final design plans are moving forward. Ultimately there will be three projects in the area with Longstown intersection moving into the five-lane section at Heritage Hills to Mt. Rose Avenue and finally to the ramp at 83. Hopefully all those projects will occur in the next decade.

**HOLMAN** Mr. Holman added that the same participants will schedule an additional meeting to include York Township as they were unable to attend the meeting.

**LUCIANI** Mr. Luciani stated that more will be reported in the future. There was no firm commitment. However, something is being done, as they have started to acquire rights-of-way.

**HOLMAN** Mr. Holman added that they were unsure as to how much right-of-way they're going to have to acquire. It depends on whether or not how many north and southbound lanes are needed. No final decision was reached.

**LUCIANI** Mr. Luciani reported on an addition item within the project, which is the inclusion of Carroll Road to Plymouth to reduce the volume of traffic at the light. The analysis from CVS and on will be re-done, and if it backs up further, they will contemplate the right turn at Carroll.

**HOLMAN** Mr. Holman noted that the analysis had been run at an increase of 1% per year; they needed to run the analysis at 2.3%, and in so doing they will be above Carroll Road. That's the growth rate projection for the first 10 years.

**GURRERI** Mr. Gurreri commented that he recalls meetings held with regard to Exit 18 over many years. He asked whether any decision was made concerning the off ramp at Exit 18.

**HOLMAN** Mr. Holman responded that the Longstown intersection is the furthest along; then from Prospect to Haines, which is second and 83 Exit 18 is third. The Township will be included in any scheduled public meetings.

**LUCIANI** Mr. Luciani reported that a meeting is scheduled for Tuesday, January 2, 2007 with regard to the Rutter's store at North Hills and Industrial Highway. They need a PUC permit to coordinate the traffic signal with the at-grade crossing. A formal hearing must be held, which is scheduled for January 2, 2007.

**5. ACCOUNTS PAYABLE:**

- A. Bertolet Construction Corporation – Police Pistol Range Improvements – Payment No. 3 in the amount of \$43,154.10**
- B. Regular Payables as Detailed in the Payable Listing of December 14, 2006**

**MR. DVORYAK MOVED FOR APPROVAL OF ACCOUNTS PAYABLE A AND B. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for discussion.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-06-10 – Time Extension – 34 Professional Office, LP – Plan Expires 12/14/06 (New Plan Date 3/14/07)**

- B. LD-02-02 – Time Extension – Associated Wholesale – Plan Expires 12/27/06 (New Plan Date 3/21/07)**
- C. LD-06-08 – Time Extension – St. John’s Evangelical Lutheran Church of York – Plan Expires 12/14/06 (New Plan Date 3/14/07).**

**MR. GURRERI MOVED TO ACCEPT THE TIME EXTENSIONS OF SUBDIVISIONS AND LAND DEVELOPMENT A, B, AND C ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman noted an issue related to previous discussions about PODS units. He noticed a trailer sitting at the Hess gas station without a tractor. When a motorist sits at that light, sight distance becomes a problem. He stated it was an unmarked trailer with a shed as well.

**RAO** Mr. Rao responded that he would visit the property.

**SCHENCK** Chairman Schenck recalled that the shed was part of a system to reduce contaminated soil. It was going to take several years and at some point it would be removed. There’s some type of mechanical system in place to control leaking fuel tanks. When the work was done, it was to be removed. Chairman Schenck recalled approving the shed some time ago.

**HOLMAN** Mr. Holman offered to review the file and visit the property with Mr. Rao.

**SCHENCK** Chairman Schenck reported noticing another electronic sign on Eastern Boulevard at People’s Bank. He asked whether it was a legal sign.

**RAO** Mr. Rao responded that it was a legal sign, since they applied for it prior to the electronic sign becoming an issue.

**HOLMAN** Mr. Holman added that when Mr. Rao approved the permit for that sign, he followed what was in Solicitor Rausch’s letter regarding electronic signs. What he did not see was for Lamar Advertising only because Lamar’s sign applications were submitted prior to the Township putting the new ordinance into effect.

**RAO** Mr. Rao added that he had approved it a long time before the issues of electronic signs arose.

**SCHENCK** Chairman Schenck asked what was put in place for future applications for similar electronic signs.

**RAUSCH** Solicitor Rausch recalled that the ordinance includes references to no animation, and he did not think they could be prohibited; however, the flashing can be limited.

**BISHOP** Mr. Bishop questioned whether there was any recourse to issue a permit in error.

**RAUSCH** Solicitor Rausch responded that it would depend on the reliance, i.e., if someone relied on the sign it could be a detriment. It would also depend upon when the error was discovered and how quickly a limitation could be issued. If someone had already spent money putting up a sign, it would become more difficult. He added that the sign ordinance is being addressed.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch noted that there is some new activity on A.A. Myers case.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that two bids were received. On the Concord Road Extension, the apparent low bidder was Kinsley Construction at a total bid price of \$690,142.13 within the budgetary constraints for this project. The Haines Road Median for the base bid price using the better asphalt was \$139,702.50 from Doug Lamb Construction, which also falls within the budgetary constraints. Mr. Holman indicated they were pleased with the bids. In addition, when looking at the Concord Road bid, \$290,000 has to be added for the real costs, also which are within budgetary constraints. Prior to awarding the contract after review from our engineer and Solicitor it will need to be reviewed by PennDot. Once that's completed the Board will be able to take the project under consideration of award for Concord Road. For Haines Road as well, once the Solicitor and Engineer complete their review, recommendation will be made at the first meeting in January. That project does not need PennDot approval.

Mr. Holman thanked Mr. Rao and Supervisor Gurreri for their attendance at a County Commissioner's meeting. A Resolution was done recognizing the Designation of Growth into Rural Areas in Springettsbury Township and the Comprehensive Plan. Thanks to the County's help, a study was found toward the completion of the Parks and Recreation plans, Open Space and Greenways projects. He thanked the County for their support, which showed cooperation between municipalities and the County leading to a positive result.

Mr. Holman reported that a meeting was held of the User Group. The User Group had agreed with the idea of the wrap around financing of the first phase of the Grit Removal and BNR project. Based on the statutory requirements for borrowing the first borrowing will be \$10 million followed by either a second and 3<sup>rd</sup> borrowing of approximately \$10 million or \$14 million to \$20 million in the second borrowing. Because the project is over a four-year period, to meet the statutory requirements it will be split into two. It's a little dry, but it's an important project and it is moving forward. He thanked all the different members of the User Group for their cooperation. It appears that it will be kept on schedule.

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

**A. Ordinance No. 06-13 – Amending Chapter 56 of Code of Ordinances Re: Police Pension Death and Disability Fund**

**HOLMAN** Mr. Holman stated that the action will adopt the new IRS Regulations for both the police and firemen's pension funds.

**B. Ordinance No. 06-14 – Amending Chapter 56 of Code of Ordinances Re: Firemen's Pension Death and Disability Fund**

**MR. GURRERI MOVED FOR ADOPTION OF ORDINANCES A AND B AS LISTED ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-66 – Recognition of Fire Fighter John Shire**

**SCHENCK** Chairman Schenck reported that Fire Fighter John Shire had retired, and a Resolution is being prepared for him. Chairman Schenck indicated that Mr. Shire will be a Supervisor in the 911 Dispatch Center.

**HOLMAN** Mr. Holman stated he had been an excellent Fire Captain and a good employee for Springettsbury Township and he will be an excellent Supervisor for 911.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-66, RECOGNITION OF FIRE FIGHTER JOHN SHIRE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 06-67 – 2006 Budget Amendment – Supplemental Appropriation From General Fund for Employee Benefits and Community Development Expenses**

**HOLMAN** Mr. Holman stated that there had been two areas of change, one in Community Development. Significant development had occurred within

the Township and the third party costs escalated beyond what was anticipated. In addition, two members of the staff were lost resulting in the use of professional services to cover those losses.

**GURRERI** Mr. Gurreri commented on the amount of money. He wondered what had been budgeted. The Board had spent a great deal of time in the budget creation.

**HOLMAN** Mr. Holman responded that the loss of two key personnel was not anticipated, which cost more in professional services. Additionally, it was not anticipated that the development of the York Town Center would move so quickly, along with a number of other third party reviews that were necessary. Additional funds have been generated within these line items with cash; however, because of the budgeting system, Mr. Holman wanted to make sure the budget was not over-extended. Health and employee benefits also were more than anticipated. The funds do offset; however, he needs the Board's authorization so that the budget can be increased in the amount to offset the additional costs.

**SCHENCK** Chairman Schenck commented that he had a similar thought as Mr. Gurreri. He asked what it cost to fill the gaps.

**HOLMAN** Mr. Holman responded that the costs were approximately \$20,000 to \$22,000 to fill the gaps during the two-month period. The figures represent salaries, vacation and overtime. The rest is for third party services, which had since been reimbursed through permits. Mr. Holman added that employee benefits were slightly higher than anticipated resulting in out-of-pocket expense of \$40,000. In refunds received, \$150,000 was anticipated and \$230,000 was received. The two have offset each other. The Township cannot control the receipt of a number of applications with large developments; that will raise that cost. On the other hand the money does come in to offset that cost.

**GURRERI** Mr. Gurreri noted that \$20,000 versus \$150,000 was a big difference. He asked why it was necessary to add more if the money would be reimbursed.

**HOLMAN** Mr. Holman explained that the cash is received, but only so much money is authorized to spend in any one year. Even though significantly more cash will come in in a certain area, and that money must be paid out to cover the inspections or additional help, authorization from the Board is needed in order to actually put that money into the budget. An appropriation is something that the Township is authorized to spend by the Board.

**SCHENCK** Chairman Schenck commented that he had read the section of the Township Code referring to the supplemental appropriations. He indicated that the word here is “may”, not “shall.” It is still new to this Board to make mid-course budget corrections.

**HOLMAN** Mr. Holman commented that it would show in over expenditures of the total budget. He added that quite a bit of time is spent reviewing the budget at the end of the year to see where we’re going to be as of December 31<sup>st</sup>.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-67 – 2006 BUDGET AMENDMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 06-68 – 2007 Budget Adoption**

**HOLMAN** Mr. Holman stated that 06-68 is the appropriations resolution for the budget. He was pleased to report that there would be no increase in taxes for the budget and thanked the Board for their work. There was one minor change from the introduced budget under Workers Compensation. He reviewed the insurance reports between Sewer and the General Fund and determined that an additional \$50,000 was needed in the General Fund. The additional monies will be taken from the surplus so there will be no need to re-advertise, nor will it impact any of the taxes.

**MR. BISHOP MOVED FOR ADOPTION OF RESOLUTION 06-68 – 2007 BUDGET ADOPTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 06-69 – 2007 Tax Levy**

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 06-69, ESTABLISHING THE TAX RATE. MR. BOWMAN WAS SECOND.**

**HOLMAN** Mr. Holman thanked everyone for their work on the budget. He stated that it takes everyone’s effort to finalize this kind of budget.

**SCHENCK** Chairman Schenck echoed Mr. Holman’s statement. It is very important, and the Board appreciated all the work done.

**MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 06-70 – Directing the Springettsbury Township Planning Commission to Prepare and Draft a New Zoning Ordinance and New Subdivision and Land Development Ordinance.**

**HOLMAN** Mr. Holman noted that when the Township initially asked the Planning Commission to do this, the scope of services that was issued to the Comprehensive Plan Committee was to amend the ordinances as necessary. Based on a review by the Solicitor, he recommended that this is not just an amendment but the creation of a new Zoning Ordinance and recommended that the Planning Commission be directed to draft a new Zoning Ordinance, a new Subdivision and Land Development Ordinance. From that the Planning Commission would then pass that on to the Comprehensive Plan Committee in order to better meet the letter of law.

**RAUSCH** Solicitor Rausch stated that it is important to choose which procedures to follow. There is a lot of litigation over whether something was an amendment that was new and the procedures are different. If something is called an amendment and the procedures are not followed, the result will be a defective ordinance. This will be new and the procedures under the MPC will be followed. He emphatically stated that from this moment forward no one can use the word amendment.

**MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 06-70. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Authorize Three Year Agreement with Tyler Technologies, Inc. (MUNIS) for Financial Software Maintenance, Licensing and Hosting for the period January 1, 2007 through December 31, 2009 at an annual cost of \$50,740.**

**HOLMAN** Mr. Holman noted that he had visited the Tyler Technologies facility and was impressed. Springettsbury will be the 62<sup>nd</sup> client to use the service, which is very cutting edge and will provide a back up to additional services and emergency and disaster recovery services.

**GURRERI** Mr. Gurreri asked how this would save the Township money.

**HOLMAN** Mr. Holman responded that there would be no need to replace the Township's servers, nor will improvements and changes be needed to the MUNIS software. In addition, there will be better security. He looked forward to transitioning to the new system between Christmas and New Years.

**MR. BOWMAN MOVED TO AUTHORIZE THREE YEAR AGREEMENT WITH TYLER TECHNOLOGIES, INC. (MUNIS) FOR FINANCIAL SOFTWARE MAINTENANCE, LICENSING AND HOSTING FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2009 AT AN ANNUAL COST OF \$50,740. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Authorize Renewal of Marketing Service Agreement with Cumulus Radio for Summer Concert Series and Saturday In The Park.**

**HOLMAN** Mr. Holman reported that Cumulus Radio requested a two-year extension. However, based on the terms of our agreement only one year extensions can be done twice. This is the extension for the first year and was strongly recommended by Mr. Wendel and Mrs. Gilfillan. They have been excellent partners for the Township.

**MR. DVORYAK MOVED TO APPROVE AUTHORIZING RENEWAL OF MARKETING SERVICE AGREEMENT WITH CUMULUS RADIO. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri expressed his thanks to Mr. Bishop for the time he puts into Saturday In The Park.

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – Public Presentation of Proposed Budget – November 15, 2006**

**SCHENCK** Chairman Schenck commented on an item in the Public Comment section made by the Central School representatives. He asked whether they were aware that their level of service is not changing.

**HOLMAN** Mr. Holman responded that they are aware of it.

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS WORK SESSION, PUBLIC PRESENTATION OF PROPOSED BUDGET, NOVEMBER 15, 2006 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – November 15, 2006**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS REGULAR MEETING, NOVEMBER 15, 2006 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Authorization to Advertise No Parking Ordinance – Eastern Boulevard between Edgewood Road and Locust Grove Road**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE NO PARKING ORDINANCE, EASTERN BOULEVARD BETWEEN EDGEWOOD ROAD AND LOCUST GROVE ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**14. NEW BUSINESS:**

There was no New Business for action.

**SCHENCK** Chairman Schenck stated that, since this was the final meeting for the year 2006, he wanted to thank everyone for their dedication and hard work. It had been a real pleasure to serve the Township.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**NOVEMBER 15, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, November 15, 2006 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  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:30 p.m. He stated the purpose of the meeting was to review the Proposed 2007 Budget.

**HOLMAN** Mr. Holman provided a PowerPoint presentation of the Proposed Budget. He stated that the General Fund amount was \$11,001,000; a summary of Other Funds including Capital Improvements, Commonwealth Liquid fuels, Fire, Library, Petitioned Street Lights, Storm Water Reserve, Subdivision Recreation, and Waste Reduction amounted to \$3,121,500. Sewer Fund which included General Operating, Springettsbury Capital and Springettsbury Intermunicipal Capital totaled \$11,404,000 for a Grand Total of \$25,526,500. Mr. Holman further provided a detailed review of accounts and added that there would be no proposed tax increase for 2007. He stated the proposed budget is available for the public to view on the Township's website. Mr. Holman thanked the Board, all the Directors and all the Staff that helped prepare the budget and the time that went into the Work Sessions in preparation for this budget.

**SCHENCK** Chairman Schenck stated that the purchase of the Public Hearing was for presentation of the proposed 2007 budget. The Board had been working on the Budget since October. He opened the floor for Public Comment.

**2. PUBLIC COMMENT:**

**ESTEP** Dr. Linda Estep, Superintendent, Central York expressed her support of the Cops in Schools Grant, a special Grant that the Township and School share financially. She stated that Diedre Petri, Assistant Principal of the High School and Sue Drazba, Principal at Stony Brook wanted to share their support. She added a program exists at the High School, North Hills and Stony Brook.

**PETRI** Ms. Petri stated that the officers had made a positive impact, not only on the student body, but also on the staff. Their presence is reassuring in a safety aspect as well as a teaching aspect. They appreciate the Township's support of the program.

**DRAZBA** Ms. Drazba, Principal at Stony Brook, commented that the Kindergarten to third graders have very nervous parents. The new security system and the Cops in Schools program had provided a source of comfort to those parents and the teachers as well and had made a positive impact.

**SCHENCK** Chairman Schenck thanked them for their comments.

**3. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:10 p.m.

Respectfully submitted,

John Holman  
Secretary

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George Dvoryak

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
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Harish Rao, Economic and Community Development Director  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Andrew Stern, Managing Director of Fire and Rescue Services  
David 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 7:10 p.m. He welcomed the attendees and asked Mr. Gurreri to lead the Opening Ceremony

**A Opening Ceremony**

**GURRERI** Mr. Gurreri stated that local government works best when the residents participate. He thanked everyone for coming. He mentioned the celebration in honor of the Veterans and asked any local Veterans to stand for recognition and thanked them for their service. He introduced Pastor Ron Bowersox, Asbury United Methodist Church, and asked him to provide a blessing over the meeting. He thanked Pastor Bowersox for taking the time to do so.

**BOWERSOX** Pastor Bowersox led the attendees in a prayer to bless the meeting.

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there had been no Executive Sessions held since the last meeting, and none had been scheduled for this date.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for Public Comment. He requested that those who comment please use the microphone and state their name and address for the record. Chairman Schenck noted that a Boy Scout was in attendance working on his Presentations Badge.

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, thanked the Public Works Department for doing a super job in leaf collection, meeting schedules and doing a nice job of cleaning up.

**BIESTRO** Mr. John Biestro, 670 Hammond Road stated that in September the residents of the Green Ridge area asked for an exemption from the parking restrictions in their neighborhood. He requested that the Board carefully consider the Resolution.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported several updates to his written report. Barwood Road Sewer contract was awarded at the last meeting. The contractor is preparing the paperwork to initiate the next phase. The Long Range Sewer Planning report is expected to be finalized within a few days. A final inspection was completed at the Pistol Range and a punch list was developed to take of a few items; sod has been laid, and the work had been substantially completed.

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

**LUCIANI** Mr. Luciani reported several brief updates from his November 8<sup>th</sup> report. A pre-bid meeting was held for Concord Road and for Haines Road. Six bidders expressed interest, and he was optimistic that there will be good, competitive bids for the project. He stated that PennDot had required the Township to overlay a state road and had specified a synthetic mix which is generally difficult to get. However, Mr. Luciani expects to discuss the situation with PennDot with a request to downgrade the quality of mix.

**HOLMAN** Mr. Holman commented that an alternate bid was sent out for a downgraded mix.

**LUCIANI** Mr. Luciani reported that the developer for Charter Homes Community filed an extension. It is hoped that working closely with them will provide some improvement on Mundis Mill Road.

- LUCIANI** Mr. Luciani reported on the Rose Hill project in Spring Garden Township, which is being reviewed by Springettsbury particularly for storm water; however, there are some sewer utilities on the plan which are of concern. There are some 29 foot retaining walls and some 200 to 300 feet of road frontage on Mt. Rose Avenue without sidewalk. It is within Township rights to require sidewalk and curbing. A request will be made for them to file a formal plan with the Township.
- HOLMAN** Mr. Holman stated that one major issue with the 29-foot wall is that it will be over top of a Springettsbury sewer line.
- SCHENCK** Chairman Schenck asked how the Township gained an interest in the plan.
- LUCIANI** Mr. Luciani responded that the initial boundary line is Mill Creek. A portion of their storm water basin is in Springettsbury Township.
- HOLMAN** Mr. Holman added that they came to one of the Tuesday staff meetings on an informal basis. One concern is the kind of weight on top of a sewer line. In addition, the Township needs to be able to maintain that line. Their plan needs to go before the Planning Commission.
- LUCIANI** Mr. Luciani noted that Fieldstone Manor road adoption is on the Agenda for review. A check list was developed; however, the borings had not been made available to verify the pavement thickness. That item will be removed from the Agenda this date.
- LUCIANI** Mr. Luciani provided a PowerPoint review of the road improvement projects along Mt. Zion and Market Street. A discussion had been held previously with regard to dual left turns to Market Street, which will require some taking of land. Cost estimates are being processed.
- HOLMAN** Mr. Holman advised that they will meet with the property owners.
- LUCIANI** Mr. Luciani added that money had been set aside for the project.
- LUCIANI** Mr. Luciani provided a PowerPoint presentation in review of the potential parking prohibition along Eastern Boulevard. He pointed out various areas which were narrower than others and not conducive to parking. He held a field meeting with Messrs. Holman, Rao, and Chief Eshbach. In the areas where more width is available, there is caution due to a decreased sight distance. The conclusion of the review was to not provide parking as there are only limited areas in which the parking could be made available.

**DVORYAK** Mr. Dvoryak asked whether any parking ban on Eastern Boulevard would affect residents from parking in front of their homes. The apartment complex will have a dedicated lot for their parking.

**LUCIANI** Mr. Luciani responded that there are no residences that would be directly impacted by a ban on parking.

**SCHENCK** Chairman Schenck agreed and expressed appreciation that the field work was done, which answered all his questions.

**LUCIANI** Mr. Luciani reported that the traffic signal at Sheridan and Mundis Mill is operational. A Change Order is expected from Doug Lamb, the contractor, and the costs are being finalized.

**LUCIANI** Mr. Luciani reported that he will attend the annual PSATS Engineering Seminar. Specifically he will review the seminar with regard to "Funding Municipal Storm water Management Programs: Are Stormwater Authorities the Answer?" He stated that he will be very interested and will provide feedback of any good ideas.

**5. ACCOUNTS PAYABLE:**

**A. Authorize Payment to the STVFC for Reimbursement of Expenses in the amount of \$26,205.**

**B. Regular Payables as Detailed in the Payable Listing of November 15, 2006**

**SCHENCK** Chairman Schenck introduced item A and asked where it would take the fire company on their budget.

**HOLMAN** Mr. Holman responded there would be \$22,000 to \$23,000 remaining, some of which needed to move against capital costs.

**SCHENCK** Chairman Schenck asked whether it was the Township's intent to pay the gas card program.

**HOLMAN** Mr. Holman responded that he had subtracted the gas card program.

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A AND B. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were no bids, proposals or contracts for discussion.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. **SD-06-03 – Time Extension – Pleasant Hill Subdivision – Plan Expires 12/10/06**
- B. **LD-06-07 – Time Extension – AAA Springettsbury Dunkin donuts/Baskin Robbins – Plan Expires 12/13/06 (New Plan Date 3/12/07)**
- C. **SD-06-06 – Time Extension – Charter Homes Meadow Creek Subdivision – Plan Expires 11/22/06 (New Plan Date 2/20/07)**

**MR. DVORYAK MOVED TO APPROVE TIME EXTENSIONS A, B, AND C AS LISTED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. SD-06-09 – Stony Brook Shopping Center – Action (12/13/06)**

**RAO** Mr. Rao provided background information on the plan as documented in his November 15, 2006 memorandum. The plan is to separate a single existing parcel with two principal uses (Northwest Savings Bank and Monroe Muffler) into two individual parcels with a singular principal use for each. There is no new construction proposed; therefore, land development is not required. Mr. Rao stated that the shopping center is located along East Market Street.

Mr. Rao provided a PowerPoint presentation showing the buildings. He stated that the applicant had presented his plan to the Zoning Hearing Board with a request for a special exception for the parking agreement, which was reviewed by Township Solicitor, Charles Rausch, and the exception was approved. The two lots will be cut down the middle with a shared parking agreement. There were several waivers as well, which had been approved by the Planning Commission. One condition exists that all outstanding fees be paid within 15 days of approval.

**SCHENCK** Chairman Schenck asked whether any new construction was proposed.

**RAO** Mr. Rao responded that it was for continued use.

**LUCIANI** Mr. Luciani added that the storm water was joint for the whole project, and that had been reviewed and the Zoning Hearing Board addressed the outstanding comments.

**MR. GURRERI MOVED TO APPROVE THE FOLLOWING WAIVERS WITH REGARD TO SUBDIVISION 06-09, STONY BROOK SHOPPING CENTER:**

- **WAIVER OF SALDO §289-11.A – PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-9 A.9 – TOPOGRAPHY SHOWING CONTOURS AT VERTICAL INTERVALS OF FIVE FEET;**
- **WAIVER OF SALDO §289-13.A – FINAL PLAN SCALE SHALL BE EITHER 50 FEET TO THE INCH OR 100 FEET TO THE INCH.**

- **WAIVER OF SALDO §289-23.A – SIDEWALKS SHALL BE INSTALLED ON BOTH SIDES OF ALL STREETS.**
- **CONDITIONED THAT ALL OUTSTANDING FEES BE PAID IN FULL WITHIN 15 DAYS OF APPROVAL PRIOR TO PLAN RECORDING.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri stated he attended a meeting of the Second Class Townships. Professor Terry Madonna spoke about the election.

**SCHENCK** Chairman Schenck commented on the activity behind the former Hannibal Hardware, Doutrich Tree Trimming. He noted that there were trees cut down; however, there are other tree trucks and a tub grinder noted on the property. He asked when such activity defines a business operation.

**HOLMAN** Mr. Holman responded that he and Mr. Rao had visited the property and noted a septic tank and other items.

**RAO** Mr. Rao added that a concrete pad had been poured.

**HOLMAN** Mr. Holman stated that they intend to go back to the property and visit the owner as it appears as though a business is being run there. He wanted to address the unsightly waste in the back which is beginning to look like a junk yard.

**RAO** Mr. Rao stated that the property is in the Commercial Highway District.

**GURRERI** Mr. Gurreri noted that during their recent road trip it was noted that the property is in wetlands, and nothing could be built on that land.

**LUCIANI** Mr. Luciani stated that a wetland could not be filled.

**SCHENCK** Chairman Schenck added that the garage had been torn down, and he was fairly certain there was no demolition permit.

**HOLMAN** Mr. Holman stated that the Conservation District was not concerned with it. The Township's concern is whether or not a business is being run, which should be registered, along with the trash. He stated they will continue to follow up.

**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 reported that he had provided the Board members with a letter that had been sent to all members of the User's Group regarding a potential \$27 million cost for the BNR System. He noted a change necessary on page 6 indicating that bids will be received December 2; the date was to be December 7. Bids will then be received for Concord Road and Haines Road Median.

**SCHENCK** Chairman Schenck stated that he had some questions on the Resolution issue of the Bonds. He did not realize the timing was so close.

**HOLMAN** Mr. Holman stated that some legal costs are beginning to be incurred along with some engineering fees, and they need to put those costs against the bond issue. The intent to seek bonds in the future needed to be stated at this time in order to charge those fees against the bond proceeds in the future.

**DVORYAK** Mr. Dvoryak commented that the intent only indicates a general level of what is expected and is not a prescribed number that's set in stone.

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

**A. Resolution No. 06-62 – Annual Road Projects – Request for county Aid**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-62, ANNUAL ROAD PROJECTS, REQUEST FOR COUNTY AID. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-63 – Intent to Issue Bonds or Notes for Construction of Certain Improvements to the Township's Sewage Treatment Plant to Incur Preliminary Expenses with Respect to Project.**

**MR. BISHOP MOVED TO ADOPT RESOLUTION 06-63. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-64 – Parking Restrictions – Green Ridge, Hammond, Woodside and South Hills**

**SCHENCK** Chairman Schenck stated that the Board had worked carefully with the residents of Green Ridge, Hammond, Woodside and South Hills. He asked for a summary.

**ESHBACH** Chief Eshbach provided a summary of the Resolution. He reported that an addendum had been made to an administrative operating procedure for permits. Each resident who lives in that area contiguous to one of the affected streets will be provided a permit. The permit process involves a

very short half-page permit application listing name, address, driver's license number and registration numbers of your vehicle for which a permit is being applied. That goes into a database. A hang tag will be issued indicating a Springettsbury Township parking permit with a number on it, which will coincide with the residence. If the tag is hung on the mirror, the resident will be permitted to park on the street during the prohibited times, which is Monday through Friday 6 to 8:30 a.m. Chief Eshbach further elaborated on the process of having the database for all the permits, the process for changing vehicles and noted that the Board has the right to set a fee for the permit application.

**COLEMAN** Mr. Bill Coleman, 540 Hammond Road, asked why there would be a fee involved.

**SCHENCK** Chairman Schenck responded that the Board had not discussed a fee.

**BISHOP** Mr. Bishop noted that setting fees takes place during a separate time; however, he did not think it was the Board's intention to set a fee.

**DVORYAK** Mr. Dvoryak called attention to the Resolution, which referenced an initial fee of \$10.00.

**COLEMAN** Mr. Coleman stated that the residents should not have to pay to park on a street when they pay taxes to the Township; this would be a permit fee they have to pay because of the school's location.

**GURRERI** Mr. Gurreri agreed with Mr. Coleman and suggested that the Board waive the fee. He inquired of Chief Eshbach whether this is enforced on weekends or holidays.

**ESHBACH** Chief Eshbach responded that it would be enforced only Monday through Friday during the specific times.

**DVORYAK** Mr. Dvoryak asked for clarification as to when a new vehicle is purchased and whether that vehicle would have to be registered.

**ESHBACH** Chief Eshbach stated they would enter the new information into the database. The resident would simply have to provide the information.

**Consensus Of The Board Was Agreement To Not Charge Any Fees.**

**SCHENCK** Chairman Schenck suggested to strike the last sentence out of the Resolution, but to leave it in the procedure as part of the normal fee resolution that is set.

- RAUSCH** Solicitor Rausch asked whether they intended to strike the administrative procedures.
- HOLMAN** Mr. Holman responded that the intent would be to strike “Resolved further that” and to strike the last line.
- RAUSCH** Solicitor Rausch indicated his approval to pass the Resolution without that sentence.
- COLEMAN** Mr. Coleman asked when and where he could obtain a permit as he has to shuffle his cars around every morning.
- ESHBACH** Chief Eshbach responded that the permits had been ordered. When they are received, the residents will be notified by telephone and/or mail. Until that time they are not actively engaged in enforcement.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-64, PARKING RESTRICTIONS, GREEN RIDGE, HAMMOND, WOODSIDE AND SOUTH HILLS ROADS. WITH REFERENCE TO THE RESOLUTION, STRIKE “RESOLVE FURTHER THAT THE INITIAL FEE OF PARKING PERMIT SHALL BE \$10.00 FOR THE INITIAL TWO PERMITS.” MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri thanked the residents for their patience and for their part in establishing the permitting.

**D. Resolution No. 06-65 – Adoption of Public Improvements – Fieldstone Manor**

Action on this Resolution was tabled.

**E. Proposal to Lease Pilot Trailer from AnoxKaldne, Inc. to Conduct On-Site Pilot Testing of Hybrid Biofilm-Activated Sludge (HYBAS) Process for Organic and Biological Nutrient Removal for a Period of Three Months at a cost not to exceed \$25,000.**

- HOLMAN** Mr. Holman stated that the pilot trailer is based on a system that Mr. Hodgkinson investigated with Mr. Schober. The pilot system is what they would like to specify; however, they want to try the pilot system first to make sure it will meet the DEP specifications prior to investing \$27 million.
- SCHENCK** Chairman Schenck recalled that it had been discussed during the budget review.

**MR. GURRERI MOVED TO APPROVE THE PROPOSAL TO LEASE PILOT TRAILER FROM ANOXKALDNE, INC. TO CONDUCT ON-SITE PILOT**

**TESTING OF HYBRID BIOFILM-ACTIVATED SLUDGE (HYBAS) PROCESS FOR ORGANIC AND BIOLOGICAL NUTRIENT REMOVAL FOR A PERIOD OF THREE MONTHS AT A COST NOT TO EXCEED \$25,000. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Authorization to Enter into Inter-Local Service Agreement with PEMA to Allow participation in the Pennsylvania Urban Search and Rescue Task Force by One Member of the Fire Department.**

**SCHENCK** Chairman Schenck asked whether one of the paid Firefighters would participate.

**HOLMAN** Mr. Holman responded that the Township would be reimbursed for any overtime costs incurred if the officer is called out.

**SCHENCK** Chairman Schenck asked whether there would be training involved.

**STERN** Mr. Stern responded that Firefighter Gary Carpenter is the resident expert. He reported that the state has two levels of urban search and rescue teams. Mr. Stern described the two levels, one at the Federal level, Task Force 1, and a lower state level. Firefighter Carpenter had expressed interest in the state level and meets the qualifications. If Mr. Carpenter or another member of the department filled that spot and the team would be deployed either within the state or out of the state through FEMA or PEMA, they would assist with urban search and rescue. This would apply to any state where there would be a need for urban search and rescue. Training is required of the participant through PEMA, some through the City of Harrisburg, the sponsoring agency. Participants of the team are from departments all over the state.

**SCHENCK** Chairman Schenck noted that, from what he read, it appeared that Firefighter Carpenter had taken an active role in causing this, for which he applauded him. It would be an extension of himself, and Chairman Schenck was pleased that he would do so.

**CARPENTER** Mr. Carpenter stated that his time would be reimbursed.

**STERN** Mr. Stern added that Firefighter Carpenter had expressed interest in a couple of other similar teams. Following the 9/11 event, the state had set up task forces in different disciplines. Some of the other disciplines have holes in them concerning reimbursement; however, this one seemed to be the best offering.

**GURRERI** Mr. Gurreri expressed his thanks to Firefighter Carpenter.

**MR. DVORYAK MOVED TO GRANT AUTHORIZATION TO ENTER INTO THE INTER-LOCAL SERVICE AGREEMENT WITH PEMA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Authorization to Renew Contract with Hemler/ACS Animal Control Service for the Year 2007.**

**MR. GURRERI MOVED TO AUTHORIZE TO RENEW CONTRACT WITH HEMLER/ACS ANIMAL CONTROL SERVICE FOR THE YEAR 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. ACTION ON MINUTES:**

**SCHENCK** Chairman Schenck asked whether there were any questions or comments on the minutes noted on the Agenda.

**DVORYAK** Mr. Dvoryak suggested an addition on the October 16<sup>th</sup> Work Session minutes. During the course of meetings during the year there were some citizens concerned with the odor from the Sewage Treatment Plant. There was discussion in the Budget meetings of options for review to tackle that problem. He recalled that there was sufficient funding in the budget for the Wastewater Treatment Plant next year to prevent a reoccurrence of the odor problems. Any discussion was noticeably absent from the minutes. Mr. Dvoryak wanted to have a notation in the minutes concerning the issue.

**SCHENCK** Chairman Schenck agreed.

**BISHOP** Mr. Bishop commented that his recollection of that discussion was along the lines that there had been an operational issue rather than a budgetary issue and that the operators had learned how to better operate the system.

**HOLMAN** Mr. Holman stated that the odor control system would be maintained and sufficient funding was available to keep it in good operational order. There had been some breakdowns during the year.

**HODGKINSON** Mr. Hodgkinson stated that during the operation last year they had chosen not to waste chemicals at the expense of odor having not received any odor complaints. It had broken down. Knowing that, he planned to run it more this year.

**SCHENCK** Chairman Schenck added that there is an expense tied to that.

**HOLMAN** Mr. Holman stated that the minutes will be amended to reflect the discussion.

**A. Board of Supervisors Budget Work Session #1 – October 16, 2006**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS BUDGET WORK SESSION #1, OCTOBER 16, 2006 AS AMENDED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Board of Supervisors Budget Work Session #2 – October 18, 2006**
- C. Board of Supervisors Budget Work Session #3 – October 23, 2006**
- D. Board of Supervisors Work Session (Barwood Road) – October 26, 2006**
- E. Board of Supervisors Public Hearing (Sign Ordinance) – October 26, 2006**
- F. Board of Supervisors Regular Meeting – October 26, 2006**
- G. Board of Supervisors Budget Work Session #4 – October 30, 2006**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS MINUTES, ITEMS B, C, D, E, F, AND G AS PRESENTED. MR. DOVRYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. OLD BUSINESS:**

There was no Old Business for discussion.

**J. NEW BUSINESS:**

**A. Authorization to Advertise 2007 Proposed Budget**

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE 2007 PROPOSED BUDGET. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise Ordinance for Amendment to Municipal Code: Fire Pension Plan**
- C. Authorization to Advertise Ordinance for Amendment to Municipal Code: Police Pension Plan**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE FOR AMENDMENT TO MUNICIPAL CODE FOR THE FIRE AND POLICE PENSION PLANS, ITEMS B AND C. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Acknowledge Receipt of Department of Auditor General's Liquid Fuels audit Report for the Year Ended December 31, 2004.**

**DVORYAK** Mr. Dvoryak noted that it was interesting to learn that they found fault with the fact that, even though it's the State Auditor General, and those state accounting practices prescribed by the State of Pennsylvania were

followed, they didn't think the results were accurately reflected because of the fact that they want to go by the Federal Standards.

**HOLMAN** Mr. Holman responded that the Township had been given an excellent audit with no problems; however, they would prefer that a different accounting standard authorized by the State would be used.

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE DEPARTMENT OF AUDITOR GENERAL'S LIQUID FUELS AUDIT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Acknowledge Receipt of October 31, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE OCTOBER 31, 2006 TREASURER'S REPORT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**ARNOLD** Mr. David Arnold, 174 Heistand Road, stated that he had been a Township resident for 15 years. He provided a commentary on the Cops in Schools program, the growth of the Township, tax base, excellent police coverage, and the responsibility of the Springettsbury Township Supervisors to favorably review the situation.

**SCHENCK** Chairman Schenck appreciated Mr. Arnold's comments.

**K. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:20 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 30, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Monday, October 30, 2006 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  
Don Eckert, President, STVFC  
Jack Hadge, Director of Finance  
Andrew Stern, Managing Director of Fire and Rescue Services

The Board of Supervisors held budget work session number four on the above date and time. The purpose of the work session was to discuss the 2007 proposed budget.

Springettsbury Township Volunteer Fire Company

Mr. Holman introduced Don Eckert and asked him to review the STVFC budget with the Board.

Mr. Eckert discussed operating revenues and expenditures as it pertains to Springetts Fire Company (Station 16) and Commonwealth Fire Co (Station 17).

Township Revenues

Mr. Hadge highlighted the 2007 proposed revenues.

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

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING – CODE OF ORDINANCES**

**OCTOBER 26, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing at 6:45 p.m. on Thursday, October 26, 2006 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, Economic and Community Development Director  
Mike Schober, Environmental Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
John Luciani, Civil Engineer  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order. He stated that the Board would receive public comments regarding Ordinance 06-11, which related to some amendments to the Zoning and Land Development Amendments. He asked Mr. Rao to provide the details.

**2. NEW BUSINESS:**

**A. Ordinance 06-11 – Revising the Code of Ordinances Chapters 325 “Zoning” and 289 “Subdivision and Land Development”**

**RAO** Mr. Rao stated that there are five issues where discrepancies were identified in the current Zoning and SALDO ordinances.

1. Signage in a shopping center. – Ordinance indicates 300 feet per shopping center. Intent was 300 feet per store.
2. Pylon signs – Not currently permitted in Flexible Development District. Change would include pylon signs permitted in a Flexible Development.
3. Height to width ratio for pylon signs. Pole height and width of top of the sign. Change would be based on the square footage of the sign, surface area not including the pole height; additionally the pole height of 15 feet maximum for pylon signs.
4. Procedures for Subdivisions and Land Development Plan Applications; currently being duly filed by the Planning Commission. Change would enable staff to withdraw incomplete plans prior to Planning Commission review.

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING – CODE OF ORDINANCES**

**OCTOBER 26, 2006  
APPROVED**

5. Street width chart in Zoning Ordinance, 325 Chart 6 - For a single family residence in R2 residential district, street frontage is 35 feet; verbage in Section 325 -17 R2 district is 80 feet at the right-of-way line; huge discrepancy exists. Change will bring consistency.

**3. COMMENTS:**

**SCHENCK** Chairman Schenck opened the floor for questions and comments concerning the proposed amendments.

**STUHRE** Mr. Charles Stuhre asked whether that which had been stated was a synopsis of the program.

**SCHENCK** Chairman Schenck responded that he was correct; it is complete.

**STUHRE** Mr. Stuhre noted he wanted to make sure the Zoning wasn't changing.

**HOLMAN** Mr. Holman stated that the items were older housekeeping items that needed to be resolved.

**RAUSCH** Solicitor Rausch reported for the record that the proposed Amendments were advertised so that they would be ready for adoption this date if the Board so choose. Comments were received from the York County Planning Commission which provided the recommended approval of both the amendments. Solicitor Rausch asked Mr. Holman whether any comments had been received from the Planning Commission.

**HOLMAN** Mr. Holman responded that the Planning Commission had no problems with it.

**RAUSCH** Solicitor Rausch stated that both Planning Commissions were in favor of the amendments.

**4. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – BARWOOD ROAD SEWER PROJECT**

**OCTOBER 26, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, October 26, 2006, 2006 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Bill Schenck, Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Jean Abrecht, Stenographer

1. **CALL TO ORDER:**

**BISHOP** Vice Chairman Don Bishop called the meeting to order at 6 p.m. He indicated that Mr. Schenck was detained but suggested that the meeting begin without him.

2. **BARWOOD ROAD SEWER PROJECT:**

**BISHOP** Mr. Bishop introduced Mike Schober of Buchart-Horn, which firm had done most of the work on the Barwood Road Sewer project. He asked Mr. Schober to summarize the project status and respond to any questions or concerns of the residents.

**SCHOBER** Mr. Schober stated that he had an opportunity to have met with most of the residents during which time the Township had been reviewing alternate ways to provide sewer service to the Barwood Road and Norwood Road areas. Summary of the discussions:

- Construct a shallow gravity sewer through some back yards and roads.
- Advantage – not as expensive and requires no pumping.
- Cost estimates were provided; project was bid.
- Four bids were received and low bidder was Doli Construction.
- Total bid for the project was just over \$293,000; bids went as high as \$539,000. Township will finance a portion.
- Two components to the monthly cost: the capital cost to pay for the facility and the monthly operating cost to treat the sewage coming into the plant.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION – BARWOOD ROAD SEWER PROJECT**

**OCTOBER 26, 2006  
APPROVED**

- Rates are estimated at approximately \$175.00 per quarter.
- Project will start in January and be completed in the spring depending on weather.
- Hookup will be made 60 to 90 days when line is operational.

**BISHOP** Mr. Bishop thanked the residents for coming. The item appeared for action on the Agenda for the Regular Board of Supervisors meeting to be held at 7 p.m. this date.

**3. ADJOURNMENT:**

**BISHOP** Mr. Bishop adjourned the meeting at 6:20 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 26, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 26, 2006, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development Director  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Andrew Stern, Managing Director of Fire and Rescue Services  
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 p.m. He asked Mr. Gurreri to lead the Opening Ceremony.

A. **Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and asked the residents to keep the men and women in the armed services in prayer. He led the Pledge of Allegiance.

2. **ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that no Executive Sessions had been held since the last meeting and there were no plans for one this date.

3. **COMMUNICATION FROM CITIZENS:**

There were no citizen comments.

4. **ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober provided a brief update to his written report. He reported that the pavilion at the pistol range was in place. Messrs. Schober and Hodgkinson and staff members will be meeting to review preliminary layouts with respect to the Grit Removal project.

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

**LUCIANI** Mr. Luciani reported four updates. First, with regard to the Lincoln General Insurance project, Messrs. Luciani, Holman and Rao met with the architect overseeing the project regarding the landscaping. They may come back to the Board to reduce some of the plantings. Secondly, with regard to Rail Trail parking, they are planning to build a driveway on Loucks Mill Road. Correspondence had revealed the planned parking will be for 29 cars. Mr. Luciani had encouraged them to attend a staff meeting for an update on the project. Third, Messrs. Holman, Lauer, Luciani and Beauregard met regarding the Mundis Mill and Sheridan Road project. As part of the PennDot changes and obtaining the PennDot permit, the scope of the work had to be expanded with no adjustment to the unit price contract. The unit prices grew and had not been adjusted. Mr. Luciani wanted to be sure to document all the changes. He added that the traffic light should be turned on flash within a few weeks. Lastly concerning the Concord Road project solicitor Rausch reviewed the advertisement, and as soon as PennDot approves the advertisement it will be put out to bid. The design drawings and specifications are completed. Area road contractors will be advised of the project by direct mail to be sure the newspaper item is not overlooked.

**HOLMAN** Mr. Holman added that the project included Haines Road.

**LUCIANI** Mr. Luciani stated that they would be advertised simultaneously as soon PennDot approval is obtained.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of October 26, 2006**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE AS OUTLINED IN THE LISTING OF OCTOBER 26, 2006. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Award Bid to DOLI Construction for Barwood Road Sewer Project in an amount not to exceed \$293,427.**

**SCHENCK** Chairman Schenck noted item A and indicated that Mr. Holman had several alternates.

**HOLMAN** Mr. Holman responded that there were two alternates. The first was for the Memory Lane alternate in the amount of \$52,844 and another for the Mt. Zion Road alternate in the amount of \$17,940 for a total award of \$264,211 all of which are within budget.

**MR. GURRERI MOVED TO AUTHORIZE THE BID AWARD FOR DOLI CONSTRUCTION FOR BARWOOD ROAD SEWER PROJECT IN THE AMOUNT OF \$293,427; MEMORY LANE ALTERNATE IN THE AMOUNT OF \$52,844; AND MT. ZION ROAD ALTERNATE IN THE AMOUNT OF \$17,940, TOTAL AMOUNT OF BID AND ALTERNATES TO NOT EXCEED \$364,211. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman introduced an additional item and requested that the Board acknowledge the third and final payment to Buracher & Associates in the amount of \$19,950 for the Jt. Fire Services Study.

**MR. BISHOP ACKNOWLEDGED APPROVAL OF PAYMENT TO BURACHER & ASSOCIATES IN THE AMOUNT OF \$19,950 FOR THE JT. FIRE SERVICES STUDY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-05-18 – Time Extension – Market Street Commons, Add-Ons Land Development – Plan Expires 11/9/06 (New Plan Date 2/7/07)**
- B. SD-05-13 – Time Extension – Market Street Commons – Add-Ons Subdivision Plan Expires 11/9/06 (New Plan Date 2/7/07)**

**MR. GURRERI MOVED TO ACCEPT TIME EXTENSIONS FOR LAND DEVELOPMENT 05-18 AND SUBDIVISION 05-13 TO 2/7/07. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**BISHOP** Mr. Bishop indicated that in planning the schedule for the Revised Zoning Ordinances a Public Hearing will be scheduled in early December. He suggested at that time it would be appropriate to have a joint meeting of the Board of Supervisors and the Planning Commission to be briefed by the consultants. In order to move that forward, Mr. Bishop suggested that it be held at the same time as the Reorganization Meeting.

**GURRERI** Mr. Gurreri asked for confirmation of the date for the Reorganization meeting.

**HOLMAN** Mr. Holman confirmed it was scheduled for Tuesday, January 2, 2007. He asked whether the Board would be open to begin the Re-org meeting at 5:30 p.m. and then move into the presentation at about 6 p.m.

**Consensus was agreement to schedule the meetings on Tuesday, January 2, 2007 beginning at 5:30 p.m.**

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated he had nothing to report in addition to his written report.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman indicated he had nothing to add to his supplemental report. He requested the Board to consider the Job description for Deputy Director of Finance, which had been reviewed by all parties.

**MR. GURRERI MOVED TO APPROVE THE JOB DESCRIPTION FOR DEPUTY DIRECTOR OF FINANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Ordinance No. 06-11 – Revising the Code of Ordinances Chapters 325 “Zoning” and 289 “Subdivision and Land Development”**

**MR. BISHOP MOVED TO APPROVE ORDINANCE 06-11 REVISING THE ZONING ORDINANCE AND THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance 06-12 – No Parking Zones on Green Ridge Lane, Hammond Road, Woodside Road and South Hill Road (Amending Ordinance No. 06-07)**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 06-12, NO PARKING ZONES ON GREEN RIDGE LANE, HAMMOND ROAD, WOODSIDE ROAD AND SOUTH HILLS ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman noted that there will be a Resolution at the next meeting setting the Policies and Procedures for the permits.

**SCHENCK** Chairman Schenck stated that Resolutions take effect quickly.

**HOLMAN** Mr. Holman indicated they would take effect immediately upon adoption by the Board.

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – October 12, 2006**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING OCTOBER 12, 2006. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Authorization to advertise No Parking Ordinance – Eastern Boulevard between Edgewood and Locust Grove Roads.**

**HOLMAN** Mr. Holman stated that the item was requested by the Board specifically for truck parking. The County had reviewed whether there should be a No Parking Ordinance along Eastern Boulevard between Edgewood and Locust Grove Roads.

**BOWMAN** Mr. Bowman asked whether there was a problem with cars parking on that stretch of road.

**HOLMAN** Mr. Holman responded that when large trucks park along there it is not wide enough to take other vehicles.

**SCHENCK** Chairman Schenck noted that in the newer section in the area of the new development, that will widen back to the curb line and it could accommodate parking. He did not recall that the intent was to designate the whole area in no parking.

**HOLMAN** Mr. Holman stated that it would cover the entire stretch of road; however, the Board could adjust that to leave specific areas open for vehicles and non-trucks. This would be expanded to cross Locust Grove and continue to Stone Ridge Road, once the Township adopted the roadway.

**BISHOP** Mr. Bishop asked whether there were needs for parking in that area and if the thinking related to the condos at the drive in.

**SCHENCK** Chairman Schenck responded that it was not his intent to cause that entire roadway to be posted No Parking. His intent was that there were tractor-

trailer trucks, not pickup trucks, parking along there and he did not think it was at all appropriate.

**BISHOP** Mr. Bishop suggested to reconsider the item for specific areas where there are specific safety problems where car parking would be a problem and other areas where it might be appropriate.

**HOLMAN** Mr. Holman responded that he would visit the area with Mr. Lauer, the Police Chief and the engineer and re-work the ordinance to include areas where parking could be permitted and provide visuals where there would be No Parking.

**B. Acknowledge Receipt of September 30, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF SEPTEMBER 30, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**GURRERI** Mr. Gurreri mentioned the Second Class Township Convention, which is scheduled for November 9, 2006.

**SCHENCK** Chairman Schenck reminded the Board of one meeting in November, on Wednesday, November 15<sup>th</sup>.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:25 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 23, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Monday, October 23, 2006 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  
David Eshbach, Police Chief  
Charles Lauer, Director of Public Works  
David Wendel, Director of 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 2007 proposed budget.

Police Department

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

Highlights of police department proposals for 2007:

- COPS In School Grant – request for another officer to be hired
- Request to purchase four new police vehicles
- Request to add civilian desk officer position
- Request to hire three additional police officers
- Upgrade of radio system
- Taser cameras
- Visual Alert Wireless Data Entry System – Converts field reporting records management system to a “real time” records management system (will allow officers to keep in-house records database constantly updated, eliminating the need for the data entry clerk to download the officer’s daily information into the database from disk).
- In-car video camera system

Main discussion centered on request to hire additional officer through COPS In School Grant program.

Mr. Bishop suggested that the Board think about it some more; to look at the long term affects.

Capital Improvements Fund

Mr. Holman asked Mr. Lauer to review the Capital Improvements Fund (30) with the Board.

Highlights:

- Roads Program - \$400,000
- Public Works Building – \$350,000
- 911 Communications Replacement - \$145,000
- Public Works Equipment (F350 Truck and Other Equipment) - \$100,000
- Penn Oaks Park Renovations - \$260,000

Mr. Holman explained that Penn Oaks Park would be temporarily closed from Spring 2007 through Fall 2007 for renovations.

Other Funds

Mr. Lauer discussed Other Funds as follows:

- Commonwealth Liquid Fuels (20)
- Subdivision Recreation Fund (21)

Mr. Holman stated the Fire Company Fund (22) will be discussed at the October 30, 2006 budget session so that the fire volunteers could be present.

- Petitioned Street Light Fund (23)
- Storm Water Fund (33)
- Waste Reduction Fund (34)
- Library Fund (48)

Mr. Bishop stated he would like to see the Township look into other alternatives regarding library services that would be more accommodating to the residents.

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

Respectfully submitted,

John J. Holman  
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 18, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Wednesday, October 18, 2006 at 5:30 p.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 NOT PRESENT:** Nick Gurreri

**ALSO PRESENT:** John J. Holman, Township Manager  
Dori Bowders, Manager of Administrative Operations  
Harish Rao, Director of Community Development  
Betty Speicher, Director of Human Resources  
Andrew Stern, Managing Director of Fire and Rescue Services

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 2007 proposed budget.

Fire/EMS

Mr. Holman asked Mr. Stern to review the proposed Fire/EMS budget with the Board.

Mr. Stern stated the proposed Fire/EMS budget for 2007 is basically the same as last year. He noted the amount of overtime has decreased.

Mr. Holman stated the budget is based upon the operation as an independent organization in 2007. The joint fire proposal, if adopted by the Governing Body's, would be funded through a revised budget consisting of the funds remaining in the 2007 Spring Garden and Springettsbury Fire budgets.

Community Development

Mr. Holman asked Mr. Rao to review the proposed Community Development budget with the Board.

Mr. Rao stated he has been employed with the Township for ten months and one of his goals is to get his department operating more efficiently; i.e. use of electronic tools for inspections, etc. He stated he has also been involved with getting the GIS program up and running for the Township.

Mr. Bowman noted that the Township has had a reputation that it is difficult to do business here due to our rules and regulations.

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**OCTOBER 18, 2006  
APPROVED**

Mr. Rao stated he believes it is getting better. He holds weekly “development meetings” to give the public an opportunity to speak with his staff and the township engineer to discuss any future projects they may want to do in the Township. He believes this has been helpful to all parties. He added that he is always available to answer general questions that the public may have.

Mr. Holman stated the Community Development budget includes funding for completion of the Zoning and Subdivision/Land Development Ordinances. This is the final step in the Comprehensive Plan project which was begun in early 2004. Mr. Holman will be working with Mr. Rao to review manning for property maintenance and compliance issues in 2007. He added the revenue side of this budget has had a strong year due to York Town Center and other major developments; providing a one-time boost to the Community Development revenue side of the budget.

Administration/MIS:

Mr. Holman stated there are two significant changes within this budget which include salaries and Capital. The salary line item includes movement of the MIS salary figures into the Administration side of the budget. This puts all Administrative personnel under one salary line item. The MIS operating expenditures remain in its own category. Capital includes a new “hybrid” vehicle to replace the old white Dodge that was in use. He noted the overall goal of utilizing the hybrid vehicle is to gain fuel savings and to experience this alternative fuel technology. His overall goal is to reduce fuel deliveries to the Township by one load per year.

Mr. Holman further discussed the Insurances and Employee Benefits line items. Mr. Dvoryak noted that pension costs have risen.

Mr. Holman stated Tyler Technologies will take over all of the Township’s support for the MUNIS financial system. They will be able to do most everything on-line or via modem. They will maintain the UNIX servers off-site, conduct backups, secure our system off site, etc. They are also able to provide the Township with a recovery program in case of disaster. In-house staff will no longer be involved with the MUNIS financial hardware/software. We have found that it will be more efficient and cost effective to have Tyler Technologies handle our UNIX needs.

Chairman Schenck adjourned the meeting at 6:35 p.m.

Respectfully submitted,

John J. Holman  
Secretary

dkb

The Board of Supervisors of Springettsbury Township held a Work Session on Monday, October 16, 2006 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  
David Wendel, Director of Recreation  
Mark Hodgkinson, Director of WWT  
Charles Lauer, Director of Public Works  
Amanda Amspacher, Administrative Clerk

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Work Session to order at 5:37 p.m.

**A. Recreation – David Wendel**

Mr. Wendel reported a high level of participation and a very successful year. For the 120 community-based programs offered, there were over 3,200 participants. The programs included fitness and aerobics, which was the most popular, the adult enrichment, STARS-seniors programs, youth, along with special events and trips. This year has been the most successful year for cost recovery.

The summer playground program served over 800 participants. All 7 parks were used with approximately 320 children attending per day. There had been no difficulty in hiring excellent workers for the summer program. The wages for the leaders are very competitive. Hiring higher quality staff will make the program much more successful. Parents are comfortable and trusting of the staff and the program. The average wage for the counselors is \$8.00/hour and the Specialists, whom are certified teachers, have been with the township for 8-10 years are averaging \$12.00/hour.

The implementation of the Pavilion rental fee has worked very well. There were 94 rentals generating \$3200.00 most of which were at the Springettsbury Township Park. Half of the rentals were by non-residents.

The summer concert series generated \$44,000.00 in revenue with 90% of the cost recovered. Saturday-in-the-Park event was also very successful with 90% of the cost recovered.

The subdivision recreation fee was raised to \$1032.00 per lot; however, this is still very low. Other municipalities are adjusting to \$2000.00 per lot. A policy has been drafted for non-residential development in the Commercial and Industrial zones. The township engineer is reviewing the policy. There are hopes to implement this policy in 2007. Approximately \$269,000.00 is currently available in the Subdivision Recreation fund.

There are plans to upgrade facilities in 2007. Kingston Park's accessibility and ground cover will be upgraded to meet ADA requirements. The major project for 2007 is the Penn Oaks Park. The project is to develop 2 full regulation soccer fields, walking paths and to do some stream erosion control at this park. There will be enhancements to the entrances and a 45-space parking lot will be installed. The Penn Oaks Park will be closed for public use in 2007 to allow the contractor to come in and complete the work. It is hopeful to open the park in 2008.

Rental leasing is a large concern. A significant amount in rental fees were paid but decreased in 2006 compared to previous years. A cost estimate for a recreation building is to be given for future references.

The current software used for the recreation department has outlived its usefulness. With the growth of the programs, something more efficient is needed. National Geomatica has developed a database program and integrated various features requested. They will be conducting a demonstration in December. The township may need to consider paying a maintenance fee. This program would allow individuals to register on line for various programs and events offered by the township recreation department.

The Dog Park Advisory Committee evaluated all potential sites for the development of a dog park. The committee has identified Springettsbury Park (east) as the most appropriate location. The estimated cost of the project is \$90,000.00. The township applied for a DCED matching funds grant for \$45,000.00. However, The County has talked about developing a county dog park at John Rudy Park for several years and their potential site is much larger than the proposed site at Springettsbury Park. The committee has recognized that the township facility is not the most appropriate location and fears that it would be deemed as a destination for individuals and may not be large enough to handle the number users of the facility. A possible transfer of funds to assist the County may be an option. A decision on the DCED grant is expected in 3-4 months.

Relationships with community-based vendors are being established, however, there are many resources available that have not yet been used.

The Comp Plan will help to identify specifics to meet the needs of the community.

Long-term maintenance for the park facilities continues to be a matter of focus.

Mr. Wendel stated that he appreciates the township's support and is looking forward to the results of the Recreation Comprehensive Plan. There has not been a lot of progress to achieving goals from the 1988 plan. He hopes to take a closer look and move forward to enhance what the township has to offer by providing open space and recreation facilities for the community.

**B. Wastewater Treatment- Mark Hodgkinson**

Mr. Hodgkinson stated that there is a 1% increase in his budget. The utilities are down and the chemicals are up significantly. There will be an increase in vehicle expense due to rising fuel prices. He added that the following equipment will need to be replaced:

- \* Replace Jeep
- \* Replace 1 pickup truck
- \* Van needs replaced
- \* Sewer Inspection Vehicle & Equipment replacement needed.

Mr. Hodgkinson suggested that the township sewer rates be adjusted. A single rate with a gradual increase with the elimination of the garbage disposal fee would be more advisable. There are approximately 7000 customers. The last increase was around 1995. Adjustments would help

get ahead of schedule. There are 9 districts currently and Barwood Road would make 10 districts.

Mr. Hodgkinson explained the Barwood Road sewer rate spreadsheet and expressed that a good contract had been received.

Mr. Hodgkinson stated that DEP has not determined the Nitrogen & phosphorus limit levels. He sent a letter to DEP proposing limits for the treatment plant.

The long-range collection system plan has not been finalized. The system is in good shape however, there are areas of concern. The worse line in the township is North of York Container.

Mr. Dvoryak asked if there were sufficient funds in the 2007 budget to prevent a repeat of the odor complaint issues we had in early 2006.

Mr. Hodgkinson stated yes, however, in 2006 the off-site odors were caused by the control system being down for several weeks. When the system was operational in early 2006, I did not run it as often as previous years because the chemical is very expensive (\$250 per gallon) and unless he or staff notice significant off-site odors, or if he receives odor complaints from the public, he does not run the system. He noted that he only received four odor complaints this past compost season. Due to the fact that the plant and all of its processes are open to the atmosphere, the odor control system is not capable of eliminating all odors. It is only capable of reducing the odor impact. He added that the system had been rebuilt and is ready for operation this compost season.

In response to the question if there have been any other odor complaints besides the four mentioned above, Mr. Hodgkinson responded that he had received one in mid to late August from a resident across the creek in East Manchester Township. The person did not have the odor at the residence, however noticed it on North Sherman Street, in front of the plant and on Lower Glades Road. Mr. Hodgkinson stated DEP's current policy on handling odor issues is that the inspector has to witness an offensive odor at the complainant's residence. Since the odor issue was noticed on the two roads and not at a residence, DEP has not been enforcing those areas.

Mr. Hodgkinson stated that he anticipates the 2006 revenue to be \$750,000 to \$1,000,000 more than the 2006 expenses.

Mr. Hodgkinson thanked the Board of Supervisors for their attention to the Waste Water Treatment matters.

**C. Public Works- Charles Lauer**

Mr. Lauer stated that the operations budget remains the same except for the utilities and the fuel. Gas and oil prices increased by \$.10 per gallon. Right now, the department falls below budget however, with the winter months approaching this figure will fluctuate due to Snow removal, street sweeping and utilities.

Mr. Holman advised with the contract with CTSI, the communications would be lowered. The electric will be the area of concern.

Mr. Lauer reported \$300,000.00 in roadwork completed this year. It is budgeted to do fewer roads and will attempt to do joint venture projects with other municipalities. The ability of townships working together may encounter savings.

Mr. Holman reported that the operational budget has minimal increases. There are minor changes but nothing significant. It is budgeted to hire someone to cut grass but that depends on the Union

negotiations. Long term, the township has the parks to maintain and looking at the manpower currently if more parks are opened there will be a need for a mix of contracting services and an increase of manpower by approximately 1-1 ½ percent.

Mr. Schenck stated that the township is diligent in repairing and installing sidewalks and at some point; a program should be developed for sidewalk improvements.

Mr. Bowman expressed the township is trying to promote the use of public transportation. The ordinances do not permit Rabbit transportation to advertise on the bus shelters. This needs to be reviewed.

Mr. Holman advised that some of these issues are being addressed through the Safe routes to School program.

Mr. Holman stated there is a need for storage at the public works building. This has been a need before he began with the township. The funding is available to get started.

There was a discussion on the storage of vehicles at the public works facility.

Mr. Lauer expressed that a quote was received from Morton Buildings years ago with an updated quote received recently which provided an additional bay. Uses of this storage building area were discussed. The quote is for a pre-engineered steel building that included the electric door with a concrete thresh hold. The building is engineered for the snow load in this area. There would be no flooring and could be used as an all season storage area. This will free up space at the Waste Water Treatment facility.

It was a consensus of the Board to install the storage building.

Mr. Holman stated that he would be meeting with Mr. Lauer and Mr. Hadge to review the capital budget. The purchase of one hybrid vehicle (Ford Escape) is budgeted. There are grants available to receive funds for the purchase. The goal is to get rid of one gas delivery a year.

Mr. Holman expressed that there are many aggressive road projects scheduled for next year in the township and the next railroad crossing review will begin.

Mr. Lauer thanked the Board for their support.

**2. ADJOURNMENT:**

Chairman Schenck, with no other questions or concerns, adjourned the Work Session at 7:47 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**OCTOBER 12, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 12, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

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

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the public and asked everyone to remember the Amish community in prayer. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that no Executive Sessions had been held since the last meeting, and none were planned for this date.

**3. COMMUNICATION FROM CITIZENS:**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road thanked the Public Works Department for fixing the rut in front of his mail box. They had responded quickly, and he appreciated it very much.

**SCHENCK** Chairman Schenck thanked Mr. Stuhre and Mr. Lauer of the Public Works Department.

**4. ENGINEERING REPORTS:**

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

- SCHOBER** Mr. Schober provided several updates. Bids were opened on the Barwood Road Sewer project, and a copy of the bid tabulation had been provided to the Board. They have reviewed it and agree with the pricing. It has been recommended to proceed with award. He indicated Mr. Holman planned to schedule a Work Session with the homeowners to finalize the project.
- HOLMAN** Mr. Holman added that he wanted to schedule the Work Session prior to the next Board meeting at 5:30 p.m.
- SCHENCK** Chairman Schenck responded that he was not opposed to having a Work Session to discuss the subject; however, he wondered whether the residents would be able to accommodate a 5:30 p.m. meeting.
- HOLMAN** Mr. Holman indicated he would contact the residents and confirm a time to the Board.
- SCHENCK** Chairman Schenck stated for clarification that it would be a Work Session to update the residents on the Barwood Road Sewer project process and does not require the participation of the full Board.
- SCHOBER** Mr. Schober noted that the only new information to be provided related to the costs and some of the scenarios for how it will be paid. There is no need to go through the design and layout as that had been done previously.
- SCHENCK** Chairman Schenck commented that the residents have to be advised that there is a time limit.
- SCHENCK** Chairman Schenck stated that he had reviewed Mr. Schober's draft of the Long Range Sewer Plan.
- SCHOBER** Mr. Schober responded that it had been reviewed by staff and it will be modified with the Comprehensive Plan.
- SCHENCK** Chairman Schenck asked whether it would be presented in summary form to the Board. He had reviewed the draft and noted some serious monetary issues.
- HOLMAN** Mr. Holman indicated there will be a formal Executive Presentation to the Board to go over the financial document. He cautioned the Board to remember that it's over a 20 to 50 year period.
- SCHENCK** Chairman Schenck commented that some of it is short-term items that could amount to sizeable figures.
- HOLMAN** Mr. Holman noted that the system is in good shape; however, there are some problems to address.

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

**LUCIANI** Mr. Luciani provided three brief updates to his report. Messrs. Rausch, Holman, Lauer and he met with PennDot about the excess right-of-way on Mundis Mill. A lobbying effort is being made to PennDot to overlay Mundis Mill Road which had been initially planned. They will continue to update the Board because it has an impact on the cost of our projects. Regarding the Heritage Hill condominium association meeting, an email had been received from Jim Walker concerning the geometry of the road in that development. Mr. Holman suggested a good solution. Mr. Luciani reported that Mr. Lauer began a significant widening project in the area of Industrial Highway/Northern Way. This work is being done in anticipation of the connection and changes to Concord Road. The developers of the York Town Center felt that it was their responsibility to put signal poles in and Mr. Lauer adjusted the traffic flow at that intersection. He did a really good job. Tom Austin and Mr. Luciani reviewed the work. Some significant lane changes will be made over time where the signal ties together, along with some re-striping.

**SCHENCK** Chairman Schenck asked for an update on the AMC development road adoption.

**HOLMAN** Mr. Holman met with Mr. Pasch, and the necessary items are being completed so that the road will be adopted by the Township. He was not sure whether the pipe had been laid.

**LUCIANI** Mr. Luciani stated he was not sure that it was 100% completed. A meeting was held with the developer as requested. There is a need for some contiguous pedestrian paths to make it acceptable; and the details are being negotiated as to how the Township will accept the roadway.

**HOLMAN** Mr. Holman commented that a Concord Road schedule had been included in the Manager's report.

**LUCIANI** Mr. Luciani stated that they believe some time in November that will go out to bid.

**5. ACCOUNTS PAYABLE:**

- A. Bertolet Construction Corporation – Police Pistol Range Improvements – Payment No. 1 in the amount of \$53,053.20**
- B. Doug Lamb Construction – Sheridan/Mundis Mill Project – Payment No. 2 in the amount of \$196,987.17**
- C. Regular Payables as Detailed in the Payable Listing of October 12, 2006**

**MR.GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A., B., AND C. AS LISTED ON THE AGENDA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for discussion.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-06-08 – Long/Jones/Parks Subdivision – 12/31/06**

**RAO** Mr. Rao provided background information documented in a October 12, 2006 memorandum. The purpose of the subdivision plan is to reconfigure two existing tracts of land. The zoning district is in an R-3 Low Density Residential Zone. He provided a PowerPoint presentation of the plan showing the proposed location, the site plan, waivers and conditions. No new construction is planned.

**SCHENCK** Chairman Schenck asked how the subdivision process worked and how long this particular application had taken; what they experienced going through the process.

**LUCIANI** Mr. Luciani responded that it had taken longer because initially they had three lots. One didn't have a building on it, and they were enlarging it. The purpose of a minor Subdivision is built up lots. Staff felt that that was increasing the possibility of development of a built up lot. It probably could have taken 60 days.

**RAO** Mr. Rao noted that the staff was comfortable with the subdivision.

**MR. DVORYAK MOVED, WITH REFERENCE TO SUBDIVISION 06-08,  
LONG/JONES/PARKS SUBDIVISION, TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-15.1 – MINOR SUBDIVISION;**
- **WAIVER OF SALDO §289-13.A – FINAL PLAN SCALE SHALL BE EITHER 50 FEET TO THE INCH OR 100 FEET TO THE INCH.**

**AND MOVED TO APPROVE THE FOLLOWING CONDITIONS:**

- **SIGNATURES AND NOTARY STAMP FOR BOTH CERTIFICATES OF OWNERSHIP BLOCKS;**
- **ALL OUTSTANDING ENGINEERING AND LEGAL ESCROW FEES MUST BE PAID PRIOR TO RECORDING.**

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

**B. SD-06-04 – Yorkshire Dental Subdivision – 12/21/06**

**RAO** Mr. Rao provided background information documented in an October 12, 2006 memorandum. He stated that the site is currently in use as a dental office containing 1812 square feet. The plan re-divides two existing lots into one conforming lot. He provided a PowerPoint presentation showing the current plan and waivers and conditions.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 06-04 WITH THE FOLLOWING WAIVER:**

- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN**

**WITH REFERENCE TO SUBDIVISION 06-04 YORKSHIRE DENTAL TO APPROVE THE PLAN WITH THE FOLLOWING CONDITION:**

- **ALL OUTSTANDING ENGINEERING AND LEGAL ESCROW FEES MUST BE PAID PRIOR TO RECORDING.**

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

**C. LD-06-06 – Yorkshire Dental Land Development – 12/21/06**

**RAO** Mr. Rao stated that the site is currently in use as a dental office containing 1812 square feet. The applicant proposed to add a 542 square foot addition to the office. The zoning district is Office Professional. He provided a PowerPoint presentation showing the overall expansion area, the interior floor plan, the elevation and façade views, including the waivers and conditions. The occupant had applied for a variance of setbacks with the Zoning Hearing Board. The applicant agreed to install sidewalks on Eastern Boulevard.

**GURRERI** Mr. Gurreri commented that the development would improve the corner.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 06-06, YORKSHIRE DENTAL LAND DEVELOPMENT WITH THE FOLLOWING WAIVER:**

- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN**

**AND WITH THE FOLLOWING CONDITIONS:**

- **A FINANCIAL GUARANTEE FOR ALL PUBLIC IMPROVEMENTS**
- **ALL OUTSTANDING ENGINEERING AND LEGAL ESCROW FEES MUST BE PAID PRIOR TO RECORDING.**

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

**Monument Markers**

**LUCIANI** Mr. Luciani provided information concerning a new Pennsylvania state law signed recently by Governor Rendell concerning monument markers. The destruction of a monument that historically had been there is now a violation of state law with fines. In the future the Township will be accommodating that law and if there are existing monuments, whether it is an iron pin or a nail in a sidewalk, those markers will be honored as a suitable monument. If new lots are created, they can be required to provide additional concrete monuments; however, the developer cannot be requested to change existing monuments.

**SCHENCK** Chairman Schenck asked whether anything could be done with the advanced technology of GIS, GPS coordinates, etc.

**LUCIANI** Mr. Luciani responded that most survey companies require GIS coordinates for corner monumentation, and most of the surveyors and consulting firms all use

GPS. The Township could add into the ordinance that the GPS coordinates be established; it would be very helpful if there were a natural disaster to re-establish those coordinates. The new law was two-fold: First, to help the surveyors and secondly, to keep property corners established.

**SCHENCK** Chairman Schenck suggested that a review be made of some of the newer technology and add that to the Township ordinance. He asked Mr. Luciani to make a recommendation for what would be appropriate.

**LUCIANI** Mr. Luciani responded that he would do so and added that it will help to tie it into our GIS too.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported he attended a seminar, PSATS, Effective Grass Root Lobbyist for the Township. He indicated that they are looking for volunteers from the County to become lobbyists.

**GURRERI** Mr. Gurreri reported a resident complained that at North Hills Road and Whiteford coming off of 30, the turn can be easily missed at Whiteford. He wondered whether some additional signage could be placed for direction.

**HOLMAN** Mr. Holman responded that he would look into the matter.

**BOWMAN** Mr. Bowman reported that downtown Rotary sponsored the Little League fields on Sherman Street. They were inquiring about directional signage on North Sherman Street directing people to the Little League fields. They want to know who they should contact.

**HOLMAN** Mr. Holman responded that they should contact him and he would work with them.

**BOWMAN** Mr. Bowman indicated that they're saying North Sherman; however, they might want to eventually include Route 30 too. There will be a lot of out of town people coming to the Little League games.

**SCHENCK** Chairman Schenck commented that he thought Sherman Street was a state road.

**HOLMAN** Mr. Holman responded that the Township can erect directional signage.

**BISHOP** Mr. Bishop noted that there had been a discussion about the future garbage contract. He had not seen any definitive plan concerning the Board establishing dates for discussion, and he was aware that there may be some radical changes. He encouraged the Board to provide plenty of time for the process and suggested that the Manager schedule some Work Sessions.

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**HOLMAN** Mr. Holman responded that he had established a preliminary time schedule, which he will provide to the Board for getting the contract specifications done, along with meetings and an out-to-bid timing.

**BISHOP** Mr. Bishop's primary concern was that the process starts early enough. He trusts the Manager to be able to put the mechanics together; however, there are some fundamental decisions that have to be made.

**SCHENCK** Chairman Schenck agreed with Mr. Bishop. He wondered whether that process could begin in January and whether it should start with the Board or the Recycling Committee. Some of the ideas that had been expressed might take a full year to develop.

**HOLMAN** Mr. Holman responded that January would be the time to begin discussions and flesh out the ideas.

**BISHOP** Mr. Bishop noted that he liked the idea of getting the Recycling Committee involved in order to gain their ideas. However, the Board needs to discuss where the contract will be directed.

**GURRERI** Mr. Gurreri suggested separate meetings to gain the ideas from the Recycling Committee and then process those with the Board of Supervisors.

**BISHOP** Mr. Bishop indicated that if the process could begin in January it would be a timely beginning.

**SCHENCK** Chairman Schenck stated that he was surprised to see the size of the scrap metal yard on North Hills Road. He asked whether it was legal or permitted. He commented that he does not have a problem with scrap metal process; however, it was beginning to look like a junk yard.

**RAO** Mr. Rao responded that his department is aware of it and is concerned because of the creek nearby with spills etc. They had contacted the property owner who advised that by December this year it will be cleaned up. He added that it is more visible because it had grown.

**SCHENCK** Chairman Schenck commented that when they started it might have been in a building but now it's outside.

**BISHOP** Mr. Bishop asked whether that could be the source of dust in that neighborhood.

**SCHENCK** Chairman Schenck responded that the dust is generated by the trucking company with the gravel yard.

**HOLMAN** Mr. Holman commented that he will visit the sites with Mr. Rao.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported on the status of Mr. Goucker's wall. The Township was prepared to go ahead with civil enforcement proceedings. However, Mr. Rao had informed him that Mr. Goucker was coming into compliance by removing four feet off the top wall so that it will comply with the zoning ordinance.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman had provided his regular report plus provided drafts of the 2007 proposed draft budget at this time for Work Sessions. He reminded the Board of the Jt. Fire Meeting on October 17<sup>th</sup> at 6 p.m. Buracker & Associates will be presenting the final report on Jt. Fire Services Study. December 5<sup>th</sup> is the Comprehensive Plan Public Forum which will be held at the Springetts Fire Company on Market Street and December 11<sup>th</sup> there will be a Public Forum at 7 p.m. in this building for the Recreation Comp Plan. Postcards will be mailed out for the Public Forums to all the residents. All the meetings are public, but this is actually a Public Forum to really get good input.

**SCHENCK** Chairman Schenck asked whether the Fire Company was aware of the meeting on December 5<sup>th</sup> because that is the regular Volunteer Fire Company meeting night.

**HOLMAN** Mr. Holman responded that they scheduled the meeting, and gave their permission. In addition, he noted that everything had been placed on the website regarding the Zoning Ordinances except the sign ordinance, the parking regulations and the administration/enforcement ordinances that will be finished by the next meeting. Everything is in draft form.

**RAO** Mr. Rao added that there will be the proposed zoning map on the website.

**BISHOP** Mr. Bishop commented that in the Manager's Report the Dec 5<sup>th</sup> meeting is labeled as a Comprehensive Plan public forum. It should be made clear that this is the new Zoning Ordinance and the new Subdivision Ordinance.

**HOLMAN** Mr. Holman responded that the postcard lists that very clearly as will the newsletter.

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

**A. Ordinance No. 06-11 – Revising the Code of Ordinances Chapters 325 “Zoning” and 289 “Subdivision and Land Development”**

This notation was planned for a meeting October 26<sup>th</sup>.

**B. Authorization to Enter into Cost Sharing Agreement for COPS in School Officer with Central York School District**

**HOLMAN** Mr. Holman stated that he had spoken to both schools and they have been pleased with the program. The school will be sending us Appendix A which will indicated just nine equal payments.

**DVORYAK** Mr. Dvoryak added that he received feedback from a York Suburban School Board Member, who is very pleased with the program. Apparently the officers were in the right place at the right time recently to help them out with a situation there.

**MR. GURRERI MOVED TO APPROVE COST SHARING AGREEMENT FOR COPS IN SCHOOL OFFICER WITH CENTRAL YORK SCHOOL DISTRICT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- A. Authorization to Enter into Cost Sharing Agreement for COPS in School Officer with York Suburban School District**

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO A COST SHARING AGREEMENT FOR COPS IN SCHOOL OFFICER PROGRAM WITH YORK SUBURBAN SCHOOL DISTRICT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – September 28, 2006**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE SEPTEMBER 28, 2006. MR. DVORYAK WAS SECOND. MOTION CARRIED. MR. BISHOP ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

- A. Acknowledge Receipt of Compliance Audit Reports from the Department of the Auditor General for the Springettsbury Township Pension Plans for the period January 1, 2003 to December 31, 2005.**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE AUDITOR GENERAL'S REPORT FOR THE SPRINGETTSBURY TOWNSHIP PENSION PLANS FOR THE PERIOD JANUARY 1, 2003 TO DECEMBER 31, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise Ordinance 06-12 – No Parking Zones on Green Ridge Lane, Hammond Road, Woodside Road and South Hill Road (Amending Ordinance No. 06-07).**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE 06-12, NO PARKING ZONES ON GREEN RIDGE LANE, HAMMOND ROAD, WOODSIDE**

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**ROAD AND SOUTH HILL ROAD (AMENDING ORDINANCE NO. 06-07). MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** This will be on the next meeting Agenda for approval.

**HOLMAN** Mr. Holman added that it would be provided it is advertised on time.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:45 p.m.

Respectfully submitted,

John Holman, Jr.  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 28, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 28, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Don Bishop, Vice Chairman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Economic and Community Development Director  
Andrew Stern, Managing Director of Fire and Rescue Services  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Police Chief  
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 public and asked that the men and women in the armed forces be remembered in prayer. He led the Pledge of Allegiance.

**B. Loyalty Oaths – Fire Police Officers**

**SCHENCK** Chairman Schenck asked Don Eckert to provide background information concerning the Fire Police. He introduced him as a retired Township Supervisor, retired Planning Commission member, an Active Volunteer Firefighter, Volunteer Fire Policeman and part time fire company officer and Committee Member of Saturday In The Park.

**ECKERT** Mr. Eckert indicated he had been involved in the fire police organization in Springettsbury Township for many years. He stated that Springettsbury had been very understaffed in the number of active Fire Police. Randy Scott Smith, Anthony Marceca, Dean Saylor, Jr. and Foster Hoyt are all

from Spring Garden Township and had been working with Springettsbury Fire Police for a long time.

**SCHENCK** Chairman Schenck expressed appreciation for the work that they are doing in serving their communities.

**SCHENCK** Chairman Schenck led them in the Loyalty Oath of Special Fire Police Officer. He thanked them for their service and thanked Don Eckert for his efforts on behalf of Springettsbury Township.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that no Executive Sessions had been held since the last meeting, and none were expected to be held this date.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck asked the attendees to use the microphone and state name and address for the record.

**Glades Auction**

**EBY** Mr. Sam Eby, 50 Mountview Drive in York, expressed his and his wife, Leslie's, concerns as owners of the Glades Auction. He provided background on their purchase of the oldest auction house in the state and on the current scheduled auction events. He and his wife were present at the meeting to provide a face for Glades Auction and to state that, despite many visits to the site, the Zoning Officers had found no infractions. He indicated that over a period of two years there had been statements made during Township meetings of accusations concerning their site. He added that he had followed Township rules and been in conformance. Nothing had changed at the Auction in 56 years with the exception of improvement to the building. He asked that the complaints be stopped. He had notified his attorney, Marc Roberts, who will handle all accusations from this date and will take legal action. He thanked the Board.

**SCHENCK** Chairman Schenck thanked Mr. Eby for his comments.

**Fieldstone Manor**

**KATHERMAN** Attorney Robert Katherman, along with Timothy Pasch, spoke about two property site issues. They were asking for guidance from the Township. At Fieldstone Manor the site had been built and they now want to convert the performance bond to a maintenance bond. It was brought to their attention that the street lights are not the right distance from each other; they are 300 feet and should be 200 feet.

**LUCIANI** Mr. Luciani stated that Fieldstone Manor has a cul-de-sac that is 600 feet long and the intersection is about half way. He stated that there are two issues related to the lighting, one of which was whether it was in conduit

and it is; and secondly he did not disagree with the developer that the lights are acceptable as shown. The plan was approved with a light at the state highway intersection and one halfway down to the T-intersection, and one more at the end of the roadway. Mr. Luciani and staff did not think it was an issue.

**KATHERMAN** Attorney Katherman understood then that the location of lights will not be an issue when it comes time to move from the performance bond to the maintenance bond.

**HOLMAN** Mr. Holman stated that he had met with Mr. Rao and reviewed the plan, which is correct and does show the street lights to be 300 feet apart. The development is built according to the approved plan and does provide appropriate lighting for the site.

**Market Street Commons**

**KATHERMAN** Attorney Katherman indicated there are a number of issues with the Market Street Commons development. One concerns the adoption of Cinema Drive. It was their understanding that the Township would not adopt the road, which is used every day by the traveling public. If the Township does not adopt the road, then it is Mr. Pasch's position he is going to block the road, and they do not intend to have it driven on and plowed and then come spring to do remedial work on it to bring it back to the Township to adopt. They were hoping that the Township would want to adopt it this year. The second issue related to moving from a performance bond to a maintenance bond. They had been advised that the reason the road would not be adopted was due to the items in the Highway Occupancy Permit that were not completed. Those items are all bonded and the sidewalks in the entire development won't be done for five or six years.

**PASCH** Mr. Pasch added that he had just received a supplement from PennDot which took him nine months to get because PennDot wanted another drainage place on Market Street. Having received this information, he put the last piece of pipe in and will mill the road and cover it by October 15<sup>th</sup>. Everything is in place.

**SCHENCK** Chairman Schenck stated that the issues could not be solved during the meeting this date. He added that the sidewalk issues were new to him.

**KATHERMAN** Attorney Katherman explained that they wanted to open a dialogue so that they had a full understanding of what was necessary.

**PASCH** Mr. Pasch indicated that he had been advised the Township would not adopt the road due to the HOP issues.

**HOLMAN** Mr. Holman stated that he would meet with Mr. Lauer, Attorney Katherman and the engineer and contact PennDot to resolve the matter.

- SCHENCK** Chairman Schenck asked Solicitor Rausch if he had anything to add. He added that the Township would just as soon take the road.
- RAUSCH** Solicitor Rausch commented that there are two things involved. The first is whether the road is ready for adoption, and second, if not, what would Mr. Pasch do about it. Solicitor Rausch indicated he was not so sure that he had the right to close the road.
- KATHERMAN** Attorney Katherman responded that closing the road was not meant as a threat but rather simply an acknowledgment of fact.
- RAUSCH** Solicitor Rausch indicated that he hoped to be able to work through the first part.
- SCHENCK** Chairman Schenck indicated that the timeline is very short due to the PennDot paving requirements.
- PASCH** Mr. Pasch stated that there was more than enough bonding available.
- KATHERMAN** Attorney Katherman stated he would meet with Mr. Holman and work through the issues.
- SCHENCK** Chairman Schenck stated that he would encourage everyone involved to work quickly.
- KATHERMAN** Attorney Katherman asked whether there was a drop dead date for Township adoptions and whether that date had passed.
- HOLMAN** Mr. Holman responded that the date had to do with PennDot and Liquid Fuels; however, he stated that could be a little flexible. It would amount only to a few hundred dollars as it would not involve even a mile of roadway.
- FREY** **742 Cherry Lane**  
Ms. Amy Frey, 738 Cherry Lane, together with Christine Fortney of 750 Cherry Lane asked the Board about the property at 742 Cherry Lane, which is between their houses. Ms. Frey explained that the property is very run down and in need of repair. They provided photographs of the property. She had discussed the property with Harish Rao on April 17<sup>th</sup> and nothing had changed. Mr. Rao told them in August that the property owner was working with the York County Planning and Housing Authority to get a loan to fix up this house. Ms. Frey and Fortney were wondering whether the Township had received any paperwork or information from the Housing Authority on this procedure.
- RAO** Mr. Rao explained that it comes from the County.

- FREY** Ms. Frey asked what might happen if the loan is not approved.
- RAO** Mr. Rao responded that enforcement letters will be sent to the property owner.
- HOLMAN** Mr. Holman reported that he was familiar with the issue on Cherry Lane. Mr. Rao had investigated the status of the loan with the County, and it is moving forward. The paperwork indicates that it is a construction loan and is a priority item.
- FREY** Ms. Frey indicated that she and Ms. Fortney are very concerned with the small distance that exists between their properties in the event that the porch or other areas would collapse or a fire would take place.
- SCHENCK** Chairman Schenck stated that the frustrating part for the Township is that there are enforcement vehicles that can be used and fines but people can appeal the fines and then take it to court. The bottom line is the Township can not make anybody physically do anything.
- FORTNEY** Ms. Fortney provided some background on her observations about the roof. She noted that last year when the new assessments were done, she went to a hearing concerning the eyesore at 742, and her assessment was lowered.
- HOLMAN** Mr. Holman indicated he will visit the property, look at the porch, and get an engineer's opinion on whether or not it is of an imminent hazard of collapse. The loan that the property owner had applied for is to help people to maintain their homes and stay in their homes.
- STUHRE** **Mt. Zion Road Truck Traffic**  
Charles Stuhre, 3680 Trout Run Road, noted that since the new road is open at the bottom of Mt. Zion Hill, truck traffic had returned to its normal speed. He had observed a number of tri-axle dump trucks far exceeding the 20 mile an hour speed limit.
- STUHRE** **Township Waste Hauler Contract**  
Mr. Stuhre asked when the negotiations will begin on the Township waste contracts and whether they will be open to the public for input.
- HOLMAN** Mr. Holman responded that the contract is in place until 2007. He indicated that after the beginning of 2007, they will begin to get everything in order for bids and the Board has already said that they will be having public input for that process. Notices will be sent to everyone.
- SCHENCK** Chairman Schenck added it will be part of the 2007 Supervisor meetings because the contract is good through to the end of 2007. They want to start the process early in the year in order not to be delayed.

**HOLMAN** Mr. Holman suggested that Mr. Stuhre could provide some early input through the Recycling Committee. They had already compiled all the different contracts from around the Township. They have quite a bit of information that has already been put together. That's a good place to put some information in because they will be helping us work on that.

**STUHRE** Mr. Stuhre indicated his concern wasn't so much on the recycling side as it is on the bag limits and how to negotiate that type of thing.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober provided several updates.

- Barwood Road Sewer bids will open on Wednesday, October 4<sup>th</sup>. A number of contractors had picked up plans. The Memory Lane Sewer and the Mt. Zion Road new manhole will be incorporated into this project.
- The Long Range Sewer Planning draft report was submitted to staff for review. Mr. Schober provided a copy of the updated sewer mapping to the Board.
- The Pistol Range project is nearly completed. They are waiting for the pavilion to be erected which will be followed by the seeding and that project will be finalized.

**SCHENCK** Chairman Schenck asked whether the sewer mapping was GIS compatible.

**SCHOBER** Mr. Schober assured him that it is all GIS compatible and had been provided to the consultant for the GIS website system.

**HOLMAN** Mr. Holman confirmed it had been placed on the system.

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

**LUCIANI** Mr. Luciani provided several updates:

- Safe Routes to School project - Messrs. Holman, Lauer, Luciani and an engineer did a thorough walk through for the Safe Routes to School project near Central High School. There are some adjustments yet to be made which will impact several properties. The project will be put out to bid soon; however, some temporary construction easements will be necessary for a few properties.
- Concord Road – PennDot approved the CEE, Categorical Exclusion Evaluation. In addition, a PUC document was finalized. Bid documents will be ready to go as soon as PennDot approval is obtained.

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**HOLMAN** Mr. Holman indicated that the Norfolk Southern portion will be separate from the bid documents. Mr. Holman will have their invoice paid as soon as it is received.

**LUCIANI** Mr. Luciani stated that Norfolk Southern will be building the track crossing area, which is independent of the road project; material is already on the site.

- Sheridan Road/Mundis Mill Intersection – Work is on-going at the intersection. PennDot’s original plan was to overlay Sheridan Road and Mundis Mill. To the Township’s surprise they took that off the list. This will have a financial impact on the Township since it will encompass an 800 foot overlay on Sheridan and an additional 800 feet on Mundis Mill. An attempt will be made to have PennDot put that back on the list.

**HOLMAN** Mr. Holman indicated that Representative Gillespie’s office will work with the Township to get this problem resolved.

**GURRERI** Mr. Gurreri asked about the homes on Edgewood. He noted the big banks in back of the homes.

**LUCIANI** Mr. Luciani responded that the homes do not have much of a yard with a very steep embankment. The homes have frontage on Edgewood as well as within the development. It is within a steep slope zone. The slopes will be seeded and stabilized. He added that the sidewalks are progressing along Edgewood.

**5. ACCOUNTS PAYABLE:**

- A. Payment to Springettsbury Township Volunteer Fire Company for Reimbursement of Fire Relief Association Capital Expenditure in the amount of \$29,110.**
- B. Doug Lamb Construction – Sheridan/Mundis Mill Project – Payment No. 1 in the amount of \$100,000**
- C. Regular Payables as Detailed in the Payable Listing of September 28, 2006**

**HOLMAN** Mr. Holman provided explanation regarding item A, which he had discussed with Mr. Eckert. There are grants coming to help pay for these in the amount of approximately \$14,000; however, they will not come in for at least three to four months. When they come in, the Township will be reimbursed. The Volunteer Fire Company requested that the Township provide the monies so the problem with the Relief Association can be resolved. Mr. Eckert is working with the Township on the matter. The recommendation is that the Township pay the capital expense of \$29,110, and that will be reimbursed when the grant money is received.

**HOLMAN** Mr. Holman explained Item B. The payment #1 was made of \$100,000 in accordance with the contract. Mr. Luciani reviewed the project; however,

Mr. Holman indicated he thought there was still approximately \$10,000 owed.

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A, B, and C. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

**A. Uniform Construction Code Audit Report dated August 30, 2006**

**RAO** Mr. Rao reported on the findings of the audit and the plans for correction. He reported that an audit was conducted in the Township on August 30<sup>th</sup> with his Inspector. On September 7<sup>th</sup> a letter was received from the State of Pennsylvania Labor and Industry with some discrepancies on the Township's handling of accessibility. They randomly chose three different locations throughout the Township. RTI Technologies, York Butterfly and A1 Auto Parts. The findings were signage heights, counters not at the proper height, and restroom discrepancies with the sinks, paper towel height, and administration issues concerning signatures, etc. Although the findings were somewhat insignificant to the Township, to someone who could use accessibility they are major infractions. Mr. Rao will be working with Township inspectors and L&I to correct these in the future.

**SCHENCK** Chairman Schenck commented in reading the audit report there was no point of reference as to whether the findings are insignificant or not.

**HOLMAN** Mr. Holman responded that the subject had been discussed during the Manager's meeting. Springettsbury's audit looks the same as other municipalities and it was a very good report. Mr. Holman was pleased with the report and Mr. Rao is addressing the issues.

**SCHENCK** Chairman Schenck commented that all of the items are in the Building Code and should not be a surprise to contractors. It is important to the disabled. He added that he had observed that some of the findings had been corrected.

**DVORYAK** Mr. Dvoryak asked whether there is any enforcement ability by the state agency that does the audits or whether they are just providing informational feedback.

**RAO** Mr. Rao indicated it is enforcement regulatory, but they rely upon the townships to enforce accessibility at a local level.

**DVORYAK** Mr. Dvoryak noted that they are not mandating that the Township correct anything other than procedures going forward.

**RAO** Mr. Rao responded that the Township cannot force the business owner to make the corrections because they have their Occupancy Permit. They can be asked to correct them to avoid a future situation.

**SCHENCK** Chairman Schenck stated that prior to an Occupancy Permit the expectation is that everything is perfect.

**RAO** Mr. Rao explained that before issuing a permit, he has enforcement duties with which he has power to make things happen, but after the permit is issued, he does not.

**BOWMAN** Mr. Bowman recalled a situation with a bank about the height of the counter. They did all they could to get that done as per the requirement.

**HOLMAN** Mr. Holman added that they did have to meet the requirement, and they're very pleased with it. It has become the model that they use now for going onward.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri noted that John Vecero from Hammond Road was in attendance. Mr. Vecero had spoken during the last meeting and stated that his experience with the Township had been very good and he thought the Board was very professional. He thanked Mr. Vecero for his attendance.

Mr. Gurreri commented about a gentleman whose car was smashed at Kershaw and Eastern Boulevard.

Mr. Gurreri reported that the Board attended the groundbreaking ceremonies at the York Town Center. The project created 1,000 jobs for the Township. He noted that, because of the Flex Zone, development such as York Town Center can take place. The Board has been very progressive, and he congratulated the Board and staff, as well as Andrew Stern for his part in the development of that.

**SCHENCK** Chairman Schenck stated that it had been Andrew Stern's Master's Degree project.

**BOWMAN** Mr. Bowman noted that a truck with signage had been sitting on East Market Street.

**SCHENCK** Chairman Schenck responded that the advertising is being done by K&L Advertising.

**RAO** Mr. Rao noted that he had sent an enforcement letter last week advising them to stop and/or make an appeal to the Zoning Hearing Board. They have applied for a Zoning Hearing Board Hearing.

**BOWMAN** Mr. Bowman commented about the old police cars sitting around advertising Ricky Brothers. They are licensed and sitting on different properties. He wondered whether that was acceptable.

**RAO** Mr. Rao responded that there is a fine line between that and the K&L Advertising.

**HOLMAN** Mr. Holman noted that a car cannot be parked on the grass; it must be a licensed vehicle parked on a hard surfaced area.

**SCHENCK** **Lower Glades Road**  
Chairman Schenck stated that during the detour on Mt. Zion Road, there were complaints from the residents on Lower Glades Road. Now that traffic has slowed due to the reopening of Mt. Zion, Lower Glades Road needs repairs.

**HOLMAN** Mr. Holman responded that Mr. Lauer had been making repairs to that road, major potholes, etc. He also had given Mr. Holman information on the right-of-way on that road, which indicates that some of the rebar is in the right-of-way.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had submitted his written report. He sent out the draft of the revised No Parking Ordinance for Hammond, Greenridge, Woodside and South Hill Roads; however, there will be revisions to incorporate that the police department has administrative procedures for permits, how to get them, who can get them, etc. He will incorporate that language into the ordinance and provide it for the next meeting for advertisement and adoption during the last meeting in October. He asked the Board to review the procedures to be sure they are satisfied with them. The ordinance will establish that the parking permit will exempt the resident from the no parking restrictions. The administrative procedures detail how that will happen.

**9. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that an email had been sent with budget times for budget meetings. He was waiting for a couple more responses from the Board members, and based upon what is received, a list of meetings will be distributed. The Work Sessions will need to be advertised. He asked whether the Board members would be interested in a Saturday session.

General consensus of the Board was that a Saturday meeting would be dependent upon each member's schedule.

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

- A. Ordinance No. 06-09 – Amending Code of Ordinances; Establishing Special Purpose Parking Zones upon Certain Township Property.**

**MR. DVORYAK MOVED TO ADOPT ORDINANCE NO. 06-09. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – September 14, 2006**

**MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING SEPTEMBER 14, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

- A. Motion to Approve “York Area United Fire and Rescue” as the Name and Patch Design for Proposed Joint Fire Organization**

**SCHENCK** Chairman Schenck introduced item A, an image of the proposed patch for the York Area United Fire and Rescue, which came out of the work of the Joint Fire Services Committee. The Committee had endorsed the proposed patch, and they are looking for the municipalities to officially endorse the proposed name and patch for what would be the merged Springettsbury and Spring Garden Township Fire Departments. Mr. Holman, Mr. Stern and the volunteers did a great deal of work on this with the help of Bradley Academy.

**HOLMAN** Mr. Holman stated that it had been a concerted effort. The scoring from the Committee worked very well, and there was a consensus for York Area United Fire and Rescue. At the last meeting of the Committee the recommendation was to go with the white keystones which were a very good idea as opposed to the stars to really give the identity of the state. The north, east, south and west compass rose on top of the county really provides for the idea that this department is designed so that it can expand and help provide services further out than initially proposed. It brings into focus all of the areas for this proposed joint organization. He reported that Spring Garden endorsed the name and the patch as well.

**SCHENCK** Chairman Schenck asked for the Board's comments.

**GURRERI** Mr. Gurreri responded that it really looked nice and he liked it; however, when he looked at it he thought of York City.

**SCHENCK** Chairman Schenck responded that it was not the first time he heard that comment.

**MR. GURRERI MOVED TO APPROVE YORK AREA UNITED FIRE AND RESCUE AS THE NAME AND PATCH DESIGN FOR THE PROPOSED JOINT FIRE ORGANIZATION. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck thanked the Board. He advised that the Committee will be glad, as it is a rather significant step forward.

**HOLMAN** Mr. Holman added that it had been a very long-term project to come up with the name and patch. He stated that Bradley Academy will be thanked, and he will be handling honorariums for the two students. Using Bradley Academy brought in an additional element of the community which had worked very well for Springettsbury Township.

**14. NEW BUSINESS:**

- A. Acknowledge Receipt of Minimum Municipal Obligation for Pension Plans**
- B. Acknowledge Receipt of August 31, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLANS AND RECEIPT OF AUGUST 31, 2006 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 14, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 14, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Andrew Stern, Managing Director of Fire and Rescue Services  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Police Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri stated he thanked the residents for coming and added that local government works best when its citizens are involved. He asked everyone to remember the men and women in the armed forces and all the men and women in uniform in prayer.

Mr. Gurreri led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck reported that an Executive Session had been held following the last Regular meeting regarding personnel matters and advised that no meeting was planned following the meeting this date.

**3. COMMUNICATION FROM CITIZENS:**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 14, 2006  
APPROVED**

- STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, voiced his displeasure with the Glades Auction site and suggested that it be revisited. He cited several examples.
- SCHENCK** Chairman Schenck responded that the Township officials would investigate the site.
- VECERO** Mr. John Vecero, 670 Hammond Road, reported that, along with other Hammond Road residents, he was present to ask the Township Manager and the Board of Supervisors to exempt the residents of the Greenridge area from the new parking restrictions. He presented a copy of a Petition to the Board. He stated that since the ban was put into place on parking between 6:30 a.m. and 8:30 a.m. on Hammond Road, Greenridge Lane, South Hills Road and a portion of Woodside Road, the residents had not been able to park in front of their houses overnight unless they are willing to move their vehicles by 6:30 a.m. He noted that 47 homes had been affected.
- GURRERI** Mr. Gurreri asked how many residents from Hammond Road were present, and approximately 15 were indicated.
- SCHENCK** Chairman Schenck asked how many of the residents had been involved in the prohibition action and what communication had taken place.
- SNYDER** Mary Jane Snyder, 550 Hammond Road, stated that in March all the residents received an invitation to come to the high school to review the sidewalk and improvements, and at that time those who were there asked about the parking. The school district indicated that students could park on public roads with no restrictions. The problem was then pushed to the Township. She cited other examples of the cars and parking problems. She noted that during that meeting Mr. Holman suggested to have restricted parking from Monday through Friday, 6:30 to 8:30 a.m. during school hours.
- HOLMAN** Mr. Holman responded that signage is to be placed on the current sign pole indicating those times during school sessions. Permit parking was mentioned in a letter he received recently; Solicitor Rausch was asked to review the issue. He added that on September 21<sup>st</sup> he will be walking the site on the sidewalks and investigating how far the signage goes for no parking.
- SCHENCK** Chairman Schenck commented that he had understood that it was not a surprise to the neighborhood that the Township was

reviewing some restricted parking there related to the school issues.

**SNYDER** Ms. Snyder agreed and recalled that the school moved out of North York because of limited parking. She added that there were three reasons for students parking on the street: (1) parking permits are \$10.00; (2) loss of driving privileges due to discipline; (3) ingress and egress from the school.

**SCHENCK** Chairman Schenck indicated that it had become an issue of unintended consequences. The Township does not want to inconvenience the residents and is attempting to protect the residents from the actions of the school.

**HOLMAN** Mr. Holman asked for clarification from the residents as to whether they wanted the signs removed so there would be no parking restrictions.

**SCHENCK** Chairman Schenck responded that the residents want an exemption or permitted parking as indicated on their Petition.

**BEVAN** Ms. Fern Bevan, 680 Hammond Road, suggested that an alternative would be to allow permit parking for the residents, visitor parking for the resident's guests. Signs could read "Parking By Permit Only."

**HARTMAN** Mr. Jarib Hartman, 730 Hammond Road, stated that he thought the ordinance was written with good intentions toward assisting the residents; however, the residents are being punished adversely. He suggested some type of an exclusion permit for the residents.

**SCHENCK** Chairman Schenck responded that the Township Solicitor will have to review the issue, and the Police Chief will provide some input as far as enforcement issues.

**HOLMAN** Mr. Holman responded that Solicitor Rausch is currently doing the research on parking permits and what kind of ordinance would need to be enacted.

**RAUSCH** Solicitor Rausch commented that the problem with signs indicating "Parking by Permit Only" is that it would apply beyond the 6:30 to 8:30 a.m. time frame. That would indicate that for 24 hours a day only those with permits could park on that public street.

**SCHENCK** Chairman Schenck indicated that the current ordinance states 6:30 to 8:30 a.m. That would be the only thing that could be enforced.

- VECERO** Mr. Vecero stated that he had attended the meeting at the school, and there were many subjects discussed. The residents did want the 6:30 to 8:30 a.m. restriction and permitted parking was discussed during that meeting. Mr. Holman's main concern was the cost of enforcement of patrolling permitted parking 24 hours a day. Once the signs went up, the residents thought that a sticker for resident's vehicles would require no further patrol and should not create an enforcement problem.
- SCHENCK** Chairman Schenck noted that some type of exception for the residents for those two hours of the day will be reviewed.
- COLEMAN** Mr. Bill Coleman, 540 Hammond Road, stated that his residence was located at the upper end where the road is wider. He suggested that the signs should only apply Monday through Friday when school is in session.
- HOLMAN** Mr. Holman responded that the signs will say Monday through Friday while school is in session. He added that additional signage will be placed on the pole.
- COLEMAN** Mr. Coleman suggested a type of placard for the vehicles. He presented an added difficulty with overnight guests or parking for guests who have travel trailers. Something should be provided for guest vehicles as well so that if a police officer checks it would be legal because it belonged to a specific property.
- SCHENCK** Chairman Schenck agreed with his suggestion.
- GURRERI** Mr. Gurreri thought permitted parking would be a simple solution; other townships have it. He had seen one that was about the size of a silver dollar stuck on the windshield. He asked Chief Eshbach if that was something that could be done.
- ESHBACH** Chief Eshbach responded that he would not recommend anything to stick in the windshield. Instead he recommended something similar to a handicap placard to place on the dashboard or hang from the rearview mirror.
- HOLMAN** Mr. Holman indicated that would be something easy for the officer to distinguish; however, it must be visible and the ordinance would indicate where the placard must be placed.

- SCHENCK** Chairman Schenck asked whether the ordinance indicated just Monday through Friday and the school days, or whether it would include Saturday and Sunday.
- HOLMAN** Mr. Holman responded that it said daily. However, the signage yet to be posted indicates Monday through Friday during school hours.
- GURRERI** Mr. Gurreri asked whether permit parking would cause any problem for the Police Department.
- ESHBACH** Chief Eshbach responded that if there is an ordinance in place and there is approved permit parking, it would not be a problem. It would be the same as enforcing handicapped parking, and as long as the placard is displayed there would be no issue.
- HOLMAN** Mr. Holman noted that as far as the parking permits would be concerned, it would be the administration and the enforcement of program, which would drive the costs up.
- SCHENCK** Chairman Schenck suggested that Spring Garden Township has a lot of experience with this with Penn State and the city does with York College, so there are benchmarks.
- GURRERI** Mr. Gurreri noted that this includes about 60 people and they have hundreds of people that are changing all the time.
- SCHENCK** Chairman Schenck asked what would be a reasonable time frame for the residents to expect a proposed solution.
- RAUSCH** Solicitor Rausch responded that by the second meeting in October a solution could be in place. There will be the necessary advertisement of an ordinance. He asked whether the 6:30 to 8:30 a.m. time frame had been working satisfactorily.
- HOLMAN** Mr. Holman responded that it should be satisfactory; however, school had just begun and they are in the process of issuing parking permits to the students. It will take a few weeks before they begin enforcing the rules or the students begin losing their parking privileges.

**4. ENGINEERING REPORTS:**

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

- SCHOBBER** Mr. Schober provided several brief updates. The draft report was completed for the Long Range Sewer Plan and copies were

provided to Messrs. Holman and Hodgkinson. Regarding the Pistol Range Improvements the pavilion was approved for fabrication and is being built now in the factory and is scheduled for delivery early October. Grading and seeding still has to be done and some of the fence work, but the contractor will likely wait until the pavilion is delivered to do so.

**HOLMAN** Mr. Holman reported that the Barwood Road project will be advertised in the newspaper tomorrow.

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

**LUCIANI** Mr. Luciani reported on several significant projects, a summary which follows:

- Road improvement progress – BJ’s and Northern Way
- Safe Routes to School – Sidewalks delayed due to CEE clearance
- Kingswood Estates Sidewalk – Progress made and property corners review
- Goucker Wall Issue – Application to Zoning Hearing Board
- Rail Trail – Overlaps sewer right-of-way; meeting to resolve issue
- Charter Homes/Carter Subdivision – Sidewalk rights-of-way issue
- Sheridan Road – Processing payment; additional inlets needed
- Route 30 Billboard – Federal and Pennsylvania regulations review

**HOLMAN** Mr. Holman stated that he will continue to investigate Township sign ordinances to determine how regulations applied at the time that sign was permitted.

**SCHENCK** Chairman Schenck asked whether there had been any additional communication with the developer at the old drive in as far as the road work and adoption.

**LUCIANI** Mr. Luciani responded that there had been a letter which was provided to the Board from Attorney Katharman. Mr. Lauer wants to take the roads over; however, there are outstanding PennDot issues. A road adoption procedure is being developed which includes as-builts, legal descriptions, a checklist and cores and all other normal requirements for road adoption. In addition there is a caveat in there that the state has ruled that the Township doesn’t want to take those roads even if the developer offers them. The letter from Attorney Katharman indicated that the developer will close the road. However, he would not have access to the

commercial buildings. Mr. Luciani noted that he is in agreement with Mr. Lauer. The roads will not be physically taken over the roads within that development until the PennDot issues are resolved.

**HOLMAN** Mr. Holman stated that a response had been provided to the developer by Mr. Rao.

**SCHENCK** Chairman Schenck stated that he had been concerned about the threats to close the road since they had become a part of the roadway network. The left turn on to Market Street was eliminated so the road is needed.

**RAUSCH** Solicitor Rausch stated that an Offer of Dedication is needed on this plan. There are legal implications to that. If it is to be turned into a private road, the plan will have to be re-filed to remove the offer of dedication.

**HOLMAN** Mr. Holman noted that, in addition, there are conditions of the HOP permit, including the traffic light, which allows the road to be open. The only way the road can be used is for it to be open; no other businesses or new buildings could be placed there.

**BISHOP** Mr. Bishop added that there is a tenant building on that land so the road couldn't be closed.

**LUCIANI** Mr. Luciani stated that the elderly housing unit up at Eastern Boulevard also would be blocked from access.

**HOLMAN** Mr. Holman added that the Turkey Hill would be closed.

**LUCIANI** Mr. Luciani stated that the Township's goal is to get that PennDot improvement straight and correct. He did not see any issue with not taking the road; however, it must be done correctly.

**SCHENCK** Chairman Schenck stated that it sounded like the developer does not want to plow the road this winter.

**LUCIANI** Mr. Luciani stated that there had been a flurry of activity of people looking to offer roads for dedication because they don't want to go through the winter plowing them.

**5. ACCOUNTS PAYABLE:**

**A. Reimbursement to Springettsbury Township Volunteer Fire Company**

**for Year 2006 Second Quarter Expenses (utilities, apparatus repair, station equipment repair, radio repair and insurance) in the amount of \$21,673**

**B. Regular Payables as Detailed in the Payable Listing of September 14, 2006**

**SCHENCK** Chairman Schenck noted that he had suggested that the Volunteer Fire Company contact Mr. Holman as soon as possible because in straightening out the generator expense it was disallowed by the Relief Fund. He indicated they may be submitting that separately because it is a large amount of money and their cash is limited.

**HOLMAN** Mr. Holman responded that he had spoken with Mr. Astor and was advised by the Relief Association that they would be handling that on their own.

**SCHENCK** Chairman Schenck stated that the Fire Company will have to repay the Relief back, and as a result they will be looking at a reimbursement outside the normal quarterly process.

**HOLMAN** Mr. Holman noted that it was a capital item. He had spoken with Don Eckert and they will be providing a budget for discussion.

**DVORYAK** Mr. Dvoryak questioned one item on the Payables List concerning the payment to terminate the Internet service.

**HOLMAN** Mr. Holman responded that there is a termination penalty for terminating service. When CPSI provided the Township with a dial tone, they asked if there would be any interest in Internet coverage and by offering a package the Township was able to save about \$16,000 per year for the next three years on phone services which gave us about \$48,000 in savings. The service will provide an increased megabyte band width over a period of three years.

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE A AND B AS PRESENTED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-06-04 – Longhorn Steakhouse (York Town Center) – Action  
(10/25/06)**

**LUCIANI**

Mr. Luciani introduced the plan in the absence of Mr. Rao. He stated that the site is currently a pad site at the York Town Center to be converted to a 5,627 SF Longhorn Steakhouse Restaurant. A memorandum dated September 14, 2006 provided details. The Planning Commission had reviewed the plan, and a number of waivers and conditions were listed, all of which were documented in the memorandum. Mr. Luciani provided some PowerPoint photographs showing the proposed site plan, entrance plan and signalization, and supplemental landscaping. Conservation District issued an overall permit for the whole York Town Center. They fit what's inside of it, and so the way it will be documented is they're going to submit a copy of the York Town Center erosion control plan and that will meet that condition. He showed the developer's buffer yard treatment and approval by the Township Engineer to block the headlights in the parking. Planning Commission had concerns about cars pulling in perpendicular to Concord Road and high beams shining out and distracting drivers. Mr. Luciani stated that a representative from the consulting firm for this development, Longhorn Steakhouse, was present to respond to any questions.

**SCHENCK**

Chairman Schenck commented about his concern that there are no proper bus stop structures. He explained that this did not relate to this specific plan, but rather to the bigger picture. Part of the problem involves the Township not allowing signage. He had recently visited the bus stop for Harrisburg up along 83, which is owned by the Transportation Authority. The structure has no advertising and is not bad looking. He wondered whether there could be some cooperative effort. His thought was that the Township was not doing a service to the people who use public transportation and have to stand out in the elements while waiting for transportation.

Chairman Schenck commented that the landscaping on the site looks fabulous, as well as the elevations look good and some outside areas.

**LUCIANI**

Mr. Luciani stated that, from his recollection even though the project is a year old, there was a bus stop on Mt. Zion Road. There is one directly across from the prison; however, he didn't think there was a shelter there at the Longhorn site.

**HOLMAN**

Mr. Holman stated that there would be a shelter at the county rehab center where they're putting a pad down and they're supposed to put a shelter on top of that.

- SCHENCK** Chairman Schenck stated that he could not imagine that Rabbit Transit would not run a route to Concord Road.
- LUCIANI** Mr. Luciani responded that they may not even be aware that Concord Road is forthcoming. He thought someone had discussed that with the High Associates people.
- HOLMAN** Mr. Holman stated that he would discuss it with them again. They would probably want to make it more comfortable both for their workers and their customers to have a nice bus shelter.
- RAUSCH** Solicitor Rausch pointed out that, with regard to the Motion, Condition No. 4 it has provide “surety bond and letter of credit” and he thought it should be “or” so that there’s no confusion when the staff is going over the conditions making sure they are fulfilled.
- HOLMAN** Mr. Holman noted that an additional condition, which will appear standard on plans, is that all fees and payments due to the Township will be paid prior to the recording of the plan in order to assure that the escrow stays in place. He added that the funding is in place for this particular plan.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 06-04,  
LONGHORN STEAKHOUSE AND APPROVE THE FOLLOWING WAIVER:**

- **WAIVER OF SALDO §289-10**
- WITH REFERENCE TO LD-06-04, LONGHORN STEAKHOUSE, TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**
- **FINAL PLANS SHALL BE DRAWN ON MYLAR AND PAPER SHEETS, WITH NOTARIZED SIGNATURES AND SEALS;**
  - **SURETY BOND OR LETTER OF CREDIT;**
  - **REMOVE CROSSED OUT DETAILS ON SHEET C1.1 AS PER RECOMMENDATION FROM THE PLANNING COMMISSION;**
  - **GRANTED PERMIT FROM YORK COUNTY CONSERVATION DISTRICT;**
  - **SHOWING THE DEVELOPER’S BUFFER YARD TREATMENT AND APPROVED BY THE TOWNSHIP ENGINEER TO BLOCK HEADLIGHTS IN PARKING AREA.**

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

**8. COMMUNICATIONS FROM SUPERVISORS:**

- SCHENCK** Chairman Schenck noted that he had received a letter from a frustrated, potential developer in the Township, which he passed along to Mr. Holman.

**GURRERI** Mr. Gurreri indicated that the PSAT State Convention will be having a meeting on the 25<sup>th</sup> to plan the Hershey convention in April, 2007. He asked for any suggestions the Board might have for the meeting.

**BOWMAN** Mr. Bowman reported he had received an email and asked Mr. Holman whether he had made arrangements to meet with the resident up around the Greenspring curve.

**HOLMAN** Mr. Holman responded that he, Charlie Lauer and John Luciani will be meeting with the residents to go up the curve. He had the reports on the parking from both the Chief and Charlie Lauer. He understood it was right at the curve where people park and there is no parking. They would like it expanded even further.

**BOWMAN** Mr. Bowman stated that he had driven by there, although probably not at the same time the resident mentioned.

**HOLMAN** Mr. Holman added that he had the police check it as well.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that the Petition to transfer Heindel Road over to the county was reviewed and approved by the county, so Mike Flannelly, County Solicitor, and he will go ahead and present that to the court and get an order signed to effectuate that transfer. The Township's portion of Heindel Road will go over to the county as a county road.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated that he had just been handed a letter with regard to the reimbursement to the STVFC. The reimbursement amount that they're asking for, in reading this, is \$29,110. Mr. Stern, as the Chief reviewed this, and issued a memo recommending a reimbursement of \$15,676 plus an additional \$10,000 which will be returned to the Township when the volunteers obtain their grant. There's a grant approved for \$10,000.

**STERN** Mr. Stern stated that they wanted the entire amount of which was actually \$13,000 of grant money. That will give them the full amount needed to get the grant.

**HOLMAN** Mr. Holman commented that he would rather go over this with Don Eckert.

**SCHENCK** Chairman Schenck stated that he would not want to act on it at this time.

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

**A. Ordinance No. 06-08 – Establishing No Parking Zone on Silver Spur Drive**

**HOLMAN** Mr. Holman noted that this ordinance will permit a bus to pull in and pick up a handicapped child. He added that this will be reviewed every year on an annual basis as long as the resident continues to live there.

**MR. GURRERI MOVED TO APPROVE ORDINANCE NO. 06-08 – ESTABLISHING A NO PARKING ZONE ON SILVER SPUR DRIVE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 06-10 – Provisions Related to Plumbing Licensing and Plumbing Issues not Addressed by the Uniform Construction Code.**

**MR. GURRERI MOVED TO APPROVE ORDINANCE 06-10 – PROVISIONS RELATED TO PLUMBING LICENSING AND PLUMBING ISSUES NOT ADDRESSED BY THE UNIFORM CONSTRUCTION CODE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented that there probably was more illegal plumbing being done than legal plumbing. He thought the people who play by the rules should have some benefit for taking their time to get permits and do things the right way. Licensed plumbers should receive something for their license, whether it's the ability to phone in a permit or have some level of assumed quality of their work.

**C. Authorization to Enter into Revised Traffic Signal Easement Agreement for Northern Way and Industrial Highway – THF Realty.**

**HOLMAN** Mr. Holman noted that there were some changes requested to THF Realty with regard to closing the roads.

**RAUSCH** Solicitor Rausch stated he had no objection to any of their revisions. He wanted to make it clear that the roadway would stay open and obviously it will.

**MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO A REVISED TRAFFIC SIGNAL EASEMENT AGREEMENT FOR NORTHERN WAY AND INDUSTRIAL HIGHWAY WITH THF REALTY. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Addendum to Pleasureville Park Ground Lease Agreement between Commonwealth Fire Company No. 1 and Springettsbury Township**

**HOLMAN** Mr. Holman stated that in order to apply for grant funds for the park to do improvements, there must be a lease that provides certain property rights. It has to be at least 20, 25 years in length, which is the reason for the extension. The volunteers are in favor of this and the park project can keep moving forward.

**MR. GURRERI MOVED TO APPROVE THE ADDENDUM TO PLEASUREVILLE PARK GROUND LEASE AGREEMENT BETWEEN COMMONWEALTH FIRE COMPANY NO. 1 AND SPRINGETTSBURY TOWNSHIP. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – August 24, 2006**

**MR. BISHOP MOVED TO APPROVE THE MINUTES AS SUBMITTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Deputy Tax Collector**

**HOLMAN** Mr. Holman indicated that the Tax Collector had been busy collecting taxes and was unable to provide the additional information. He will try to meet with her within the next week to get the issue resolved.

**14. NEW BUSINESS:**

**A. York County Petition to Turn Over Heindel Road**

**MR. BISHOP MOVED TO AUTHORIZE THE SOLICITOR TO PRESENT THE PETITION TO TURN OVER HEINDEL ROAD TO THE COUNTY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Susquehanna Stray Animal Shelter Agreement for Year 2007**

**HOLMAN** Mr. Holman requested action on the 2007 Agreement. He stated that both he and Chief Eshbach had reviewed the services, which had worked well for the Township. He noted that they had

contacted the new SPCA but they had advised that they will come in some time, but they did not want to provide a copy of a contract to us or discuss it.

**SCHENCK** Chairman Schenck indicated he questioned it because the bulk of the packet supplied negative information about the competitor of the person requesting the contract.

**HOLMAN** Mr. Holman commented that he had received the same kind of information from the SPCA.

**SCHENCK** Chairman Schenck stated that the information he had read indicated that Susquehanna Stray Animal Shelter seemed to meet the needs of the Township better because they will take everything.

**HOLMAN** Mr. Holman agreed. That was why he wanted to meet with the SPCA to see what additional services they could provide. They indicated they did not want to meet but that they would come before the Board some time in the future and present during the citizen comment period. He recommended Susquehanna Stray Animal Shelter for renewal because they had done an excellent job for the Township with no problems.

**MR. GURRERI MOVED TO APPROVE THE SUSQUEHANNA STRAY ANIMAL SHELTER AGREEMENT FOR YEAR 2007. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resignation of Park and Recreation Board Member**

**SCHENCK** Chairman Schenck stated that a letter had been received from Cathy Holman resigning from the Park and Rec Board. He was sure that she was well thanked for her service and also that she was resigning due to a conflict in time commitments.

**HOLMAN** Mr. Holman stated that she was taking some classes that conflicted and she had not felt it would be fair to stay.

**MR. BISHOP MOVED TO ACCEPT THE RESIGNATION OF CATHY HOLMAN FROM THE PARK AND REC BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman stated that he would provide a thank you letter for the Chairman to sign.

**SCHENCK** Chairman Schenk noted a letter had been received from the Secret Service thanking the Police Department for their help when the

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**SEPTEMBER 14, 2006  
APPROVED**

President visited York. In addition, the Township had received an award for the laboratory in Wastewater Treatment again. There is good news.

**15. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**AUGUST 24, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 24, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Director of Community Development  
Mark Hodgkinson, Director of Wastewater Treatment Plant  
Andrew Stern, Managing Director of Fire and Rescue Services  
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 7:05 p.m. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session was held this date just prior to the Regular Meeting regarding a personnel matter, and another Executive Session will be held after the meeting to further discuss a personnel issue.

**3. COMMUNICATION FROM CITIZENS:**

**SCHAEFER** **Olde East York Questions/Comments**  
Mr. Tom Schaefer, 138 North Keesey Street, brought forward several questions regarding Township law and procedure from the Citizens of Olde East York.

**SPRINGETTSBURY TOWNSHIP  
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APPROVED**

He asked under whose “watch” was an apparent flaw in the ordinance law enacted with no mention of convenience stores with fuel dispensing pumps. They asked how they can be assured that similar items had not occurred in other parts of the Zoning Ordinance, and whether or not the loophole had been closed.

**SCHENCK** Chairman Schenck responded that every item is being reviewed during the process of the Comprehensive Plan.

**HOLMAN** Mr. Holman stated that the Zoning Ordinances are being reviewed at this time. The specific item was the topic of discussion and had been added into one of the use zones.

**SCHENCK** Chairman Schenck added that where there are gaps in the laws, the first step is with the Zoning Hearing Board.

**SCHAEFER** Mr. Schaefer stated that because of the flaw, there may be residents whose quality of life and property values become affected.

Mr. Schaefer cited a second question regarding the Township Sign Ordinance reporting instances where pickup trucks with billboard type signs in the bed had been parked in various locations in the vicinity of Market Street. He had investigated the source, which is K&L Advertising, and has contact information. He asked whether portable billboards are covered in the current Sign Ordinance.

**RAO** Mr. Rao responded that portable billboards, as described, are prohibited in the Township.

**BISHOP** Mr. Bishop stated that there are significant enforcement problems, which are multi-leveled and the remedies that are available are exceedingly weak.

**SCHAEFER** Mr. Schaefer asked what could be done to correct the problem.

**SCHENCK** Chairman Schenck responded that it would begin at the state level when there are violations of Zoning laws. Notification must be made, and there are 30 days to appeal, all of which is mandated to the Township by the state as part of the Municipal Planning Code.

**BISHOP** Mr. Bishop commented that he had attended a recent Comprehensive Planning Task Force meeting during which the new Zoning Ordinance was discussed. The Task Force strongly recommended significant portions of the performance standards that are currently in our Zoning Ordinance be applied not just to one zone but to all zones and then there is serious consideration being given to taking those performance standards

**SPRINGETTSBURY TOWNSHIP  
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APPROVED**

completely out of the Zoning Ordinance so that in the future they do not come under the Zoning portion of the MPC. In that way, they can be removed from civil penalty and placed into criminal penalties.

**SCHAEFER** Mr. Schaefer asked for a time line as to when that might be in place.

**HOLMAN** Mr. Holman responded that the projected date is May of 2007. However, Public Forums will be scheduled in October. He added that a draft is on the website for review.

**SCHAEFER** Mr. Schaefer added that they had been very active as a group in the Comp Plan process and will continue to do so.

Mr. Schaefer posted a third concern regarding a rental property at 2121 Wallace Street on the north side, just west of the beginning of Dixie Drive. The property has been rented to an organization that provides living arrangements for people who are mentally challenged. Currently there are three adult women living at that property. He asked what the provisions are for establishing a group home in an R2 neighborhood.

**RAO** Mr. Rao responded that the subject is stated in Section 325.94 of the Ordinance permitting such in the R2 residential district. However, he added that there are certain stipulations and criteria they must meet before occupying that property.

**SCHAEFER** Mr. Schaefer asked whether they had done so.

**RAO** Mr. Rao responded that he was not aware of any application.

**LUCIANI** Mr. Luciani commented that there is a stipulation in the number of people within the residence that constitutes a group home. He was not sure whether it was 5 or 6, but above that specific number is considered a group home.

**SCHAEFER** Mr. Schaefer noted that there are clear delineations as to who is considered a family member. In addition, this could be considered a business, which is in an R2 zone. He asked the Township to review the situation as soon as possible.

Mr. Schaefer brought up an additional discussion concerning the number of tractor-trailers that can be found parked throughout the Township. He noted that the residents had been able to provide a solution to the parking along Industrial Highway across from Rockburn Park by alerting the owner to the problem. He stated that throughout the discussions regarding the Rutter's project, everyone was aware of the trucks parked on the west

side of North Hills Road. He asked how this problem ever developed in the first place.

**RAO** Mr. Rao responded that the location Mr. Schaefer had cited is a level, grassy area. Vehicles are not permitted to park on grass by Township Ordinance.

**SCHENCK** Chairman Schenck stated that a parking area was defined as on a paved, hard-surfaced area. He added that there are enforcement issues.

**SCHAEFER** Mr. Schaefer commented that there are other areas where trucks are parked within the Township.

**SCHENCK** Chairman Schenck noted that he had called in and taken photographs any number of times of illegally parked trucks.

**HOLMAN** Mr. Holman stated that when the residents call, someone will be sent out to enforce the Ordinance.

**KINSLEY** Mr. Tim Kinsley stated that they will work with the current owners and take action with signs for their portion of the property.

**HOLMAN** Mr. Holman asked Lieutenant Trott to get together Solicitor Rausch to determine what would need to be posted.

**SCHAEFER** Mr. Schaefer noted that the Township had good fiscal accountability; the Police Department had good police force accountability. The citizens are going to begin to look for additional accountability from the elected officials, that include the quality of life and property values. The citizens had been involved in the Comp Plan process, and hope that the Board of Supervisors take to heart the comments made about quality of life, protection of property and historic preservation.

**Motorcyclists – Trout Run Road**

**STUHRE** Charles Stuhre, 3680 Trout Run Road, reported that recently there had been some young motorcyclists who had been grossly exceeding the speed limit. He noted that this had just become a recent problem, and suggested that a police presence in his driveway might discourage it.

**TROTT** Lt. Dave Trott stated that he would follow up.

**Wall/Fence Issue**

**BUBB** Mrs. Arlene Bubb, 1753 East Wallace Street, reported that she had been dealing with a brown pickup truck that began parking in front of her house because the driver had been advised he couldn't park his tractor-trailer or

his truck on North Hills Road, but was permitted to park in front of her house on the public street.

**GOUKER**

Mr. Edward Gouker, 3296 Dorsett Lane, stated that he had provided background information in a letter to the Township. He felt he was the subject of some harassment due to a retaining wall he had placed on his property. He provided copies of photographs of his entire situation to the Board. He indicated that his retaining wall was four feet high, for which he had been told he needed a Building Permit. Mr. Rao visited his property and agreed that it was landscaping and that no permit was needed. Following that Mr. Gouker put a fence around his side yard which is less than four feet tall. He cited the products, where they were purchased, and the type of material, etc.

Mr. Gouker's neighbor, Mark Shenberger, then erected a wall of the same material for landscaping purposes. Again, no permit was needed. Mr. Gouker cited several places within the Township where retaining walls are much higher than four feet. The Township had estimated his wall at eight feet. He commented about other violations he had observed within the Township. He referred to a letter he received from the Township and did not understand why he was not in compliance with Township regulations. He asked the Board for answers.

**SCHENCK**

Chairman Schenck responded that, having seen the photographs, it appeared that the whole process hinged on the definition of a fence. It seemed that what Mr. Gouker called a fence, the Zoning personnel are calling a wall.

**RAUSCH**

Solicitor Rausch stated that this is not the appropriate place to address this problem.

**SCHENCK**

Chairman Schenck added that since Mr. Gouker sent a letter indicating that he would not get a permit or go to the Zoning Hearing Board, the Board of Supervisors are powerless to help with the problem since he had given them no options. In addition, the Board is not the body that can indicate approval or not.

**RAUSCH**

Solicitor Rausch stated that he had just received the documentation and it was his intention to follow up with Mr. Holman and staff to review the comments made and to see if, in fact, the proper procedures had been followed. He added that if he determined that the staff gave a wrong interpretation or followed the wrong procedures, that will be dealt with. If not, Mr. Gouker will need to decide how he wants to proceed. He stated, again, that it is not for the Board of Supervisors to determine.

**HOLMAN**

Mr. Holman stated that he was working with the Solicitor on the situation.

**SCHENCK** Chairman Schenck stated that Solicitor Rausch and Mr. Holman will review the situation and provide an interpretation in the near future.

**GOUKER** Mr. Gouker thanked them.

**FERNANDEZ** **Rockburn Park**  
Mr. Dave Hernandez, 1843 Wallace Street, reported that Rockburn Playground is turning into Rockburn picnic ground. For whatever reason someone put a grill in the playground, and one child had cut himself on it. He had observed families, even outside of the Township, had come to the playground in numbers and park on both sides of Rockburn Street; the area is a No Parking Zone from Wallace to Industrial Highway. He determined to call the police every time there are parking violations in that area.

**BISHOP** Mr. Bishop responded that the police never tire of receiving legitimate information. That's what the residents are encouraged to do.

**FERNANDEZ** Mr. Fernandez stated he would gladly do so. He asked whether there is supposed to be picnicking in that park.

**BISHOP** Mr. Bishop responded that is what it is intended for by definition as a park.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober provided an update to his written report. The Eden Road Interceptor project was completed. Mr. Holman was successful in obtaining all the rights-of-way and permits for the Barwood Road Sewer project. One additional item will be to incorporate a small repair on Memory Lane. That will be handled separately. A draft report on the Long Range Sewer Planning was developed, along with the development of a Lateral Policy and a number of alternative policies, which will be integral part of the whole Long Term Plan and with the computer area and laterals. The Pistol Range Improvements are proceeding ahead. The contractor completed all the rough grading. The pad for the pavilion is poured. They're going to start some of the paving. They are beginning the Grit Removal Improvements.

**BISHOP** Mr. Bishop stated that the Comprehensive Plan Task Force was very anxious to receive the Long Range Sewer Planning Report and were somewhat frustrated to not have it yet. He wondered whether a draft copy could be provided prior to a final.

**SCHOBER** Mr. Schober responded that he would see whether that would be helpful to them and provide whatever is necessary.

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

**LUCIANI** Mr. Luciani reported that there are four plans for action on the Agenda. However, he had a few updates on some of the on-going projects. He reported that there are a number of developers that have requested that their streets be turned over to the Township. He recalled from a publication from the Solicitor's office that indicated there had been a new decision that those streets can be offered for dedication and whether or not the community accepts them is sort of their goal and desire if they want to or not. On Market Street Commons there are some outstanding Highway Occupancy Permit issues. Mr. Lauer was fairly adamant that he did not want to take over that roadway the HOP matters are resolved.

**SCHENCK** Chairman Schenck asked him whether he was referring to the turning area going back to the County Home.

**LUCIANI** Mr. Luciani responded that he was. Traveling west on Market Street there's a hump in the road that needs to be straightened out.

**SCHENCK** Chairman Schenck commented that it appeared to just be a binder pavement and not an overlay.

**LUCIANI** Mr. Luciani responded that he was correct and that until the permit is closed out, the Township will not adopt the road. Mr. Holman asked for a checklist of items that developers should provide, including an ordinance, a legal description, as-built drawings in order to properly adopt the streets at the appropriate time.

Mr. Luciani continued his report with a discussion on the Central High School roadway project. A meeting was held with PennDot, and it was determined that they have more right-of-way than needed to maintain the road. Their intent is to turn those roads back over to the Township, along with several other residents affected. Those challenges are being worked out to be sure that the Township will be able to maintain and receive liquid fuels money.

Mr. Luciani provided some photographs of Sheridan and Mundis Mill Road. Work has been ongoing for close to a month. The contractor is Doug Lamb of Lancaster and he's making really good progress. The main Mundis Mill corridor should be finished before Central High School returns to classes.

**Edgewood Road Sidewalk**

**SCHENCK** Chairman Schenck noticed significant progress on the sidewalk project.

**LUCIANI** Mr. Luciani stated that a report had been provided on some Highway Occupancy Permit issues that removed the wall. One of the things that the residents who own those homes, which appear to be on the edge of a cliff, complained about is that they don't have adequate back yards. The homes as built were much bigger than as shown on the plan, although the Township does not control that, and as long as they are within the building envelope, they could build whatever they wanted. That created some of the grading and slope challenges. Walls were prohibited in the right-of-way; however, they have the option of going to the Zoning Hearing Board.

**SCHENCK** Chairman Schenck asked whether they had not followed their grading plan.

**LUCIANI** Mr. Luciani responded that they did not. They are going back to the original plan to make it work, and with the houses as big as they are it's very challenging. Mr. Rao is working with Ryan Homes, and there was a field meeting to discuss the issues.

**BISHOP** Mr. Bishop asked whether some of the houses are occupied.

**LUCIANI** Mr. Luciani responded that some of the houses along Edgewood are occupied.

**SCHENCK** Chairman Schenck asked whether there was any update on the DEP permit.

**LUCIANI** Mr. Luciani responded that he had not heard anything from DEP; they continued to call for updates.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of August 24, 2006.**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF AUGUST 24, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Bids: Barwood Road Sewer Project.**

**HOLMAN** Mr. Holman stated that the plans and specs had been in place for some time. It had been a matter of getting the paperwork completed with the

DEP permit which was received and then obtaining the sign off on the easements.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISING FOR BIDS FOR THE BARWOOD SEWER PROJECT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-06-08 – Long/Jones/Parks Subdivision – Deininger and Ridgewood Road**
- B. SD-06-09 – Stonybrook Shopping Center Time Extension – Plan Expires 9/14/06 (New Plan Date 12/13/06).**
- C. SD-06-04 – Yorkshire Dental Subdivision Time Extension – Plan Expires 9/22/06 (New Plan Date 12/21/06).**
- D. LD-06-06 – Yorkshire Dental Land Development Time Extension – Plan Expires 9/22/06 (New Plan Date 12/21/06).**
- E. LD-06-07 – AAA Springettsbury (Dunkin Donuts) Time Extension – Plan Expires 9/14/06 (New Plan Date 12/13/06).**
- F. LD-02-02 – Associated Wholesale, Inc. Time Extension – Plan Expires 9/28/06 (New Plan Date 12/27/06).**
- G. LD-06-02 – EBLW, Inc. Time Extension – Plan Expires 9/22/06 (New Plan Date 12/21/06).**
- H. SD-06-03 – Pleasant Valley Road Subdivision – Time Extension – Plan Expires 9/11/06 (New Plan Date 12/10/06).**

**MR. BISHOP MOVED TO GRANT TIME EXTENSIONS REQUESTED IN ITEMS A THROUGH H ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- I. SD-06-05 – Shaffer/Keagy Subdivision – Action (9/22/06)**

**RAO**

Mr. Rao provided background information on this minor subdivision plan located near the North Hills Road and Tulsa Road intersection. The detail was provided in a memorandum dated August 24, 2006. He provided several PowerPoint photographs showing the existing site and the property to be subdivided, the plan showing the existing property lines and the desired property lines. The applicant wished to combine both lots. He described several waivers and conditions.

**BISHOP**

Mr. Bishop asked for clarification of the request to waiver the minor subdivision ordinance.

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**LUCIANI** Mr. Luciani responded that it would be the Board's decision. The minor subdivision criteria is minimal and can only be used where there will be no new building lots.

**MR. BISHOP MOVED WITH RESPECT TO SUBDIVISION 06-05 SHAFFER/KEAGY  
SUBDIVISION TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-15.1 – MINOR SUBDIVISION**
- **WAIVER OF SALDO §289-13.A – SCALE OF THE PLAN**

**AND FURTHER MOVED TO APPROVE THE PLAN WITH THE FOLLOWING  
CONDITION:**

- **THE PLAN CANNOT BE RECORDED UNTIL ALL OUTSTANDING ESCROW  
FEES ARE PAID IN FULL.**

**MR. BOWMAN WAS SECOND.**

**HOLMAN** Mr. Holman noted that the escrows must be paid in full prior to recording the plans. There was a question on one of the escrow items, which Mr. Holman intended to meet with Mr. Luciani to resolve.

**MOTION UNANIMOUSLY CARRIED.**

**J. SD-06-07 – Action Motor Sports Subdivision – Action (10/25/06)**

**RAO** Mr. Rao provided a brief overview of the subdivision plan, which was documented in a August 24, 2006 memorandum. The site was previously a motorcycle and ATV sales and repair facility, which was destroyed by fire. The owners wanted to rebuild on the same site and expand the business. The site is located at 1881 Whiteford Road. Mr. Rao provided several PowerPoint pictures of the site, location, proposed plan, two lots to be combined into one. There were several waivers and modifications.

**SCHENCK** Chairman Schenck asked about a Zoning Hearing Board ruling on the sidewalks.

**LUCIANI** Mr. Luciani responded that the property owners went to the Zoning Hearing Board for parking lot criteria and sidewalks. It was confusing because both roads are called Whiteford Road.

**SCHENCK** Chairman Schenck asked whether it all related to work on the south side of the property.

**LUCIANI** Mr. Luciani responded that he was correct. The Ordinances require curbing and sidewalks. Planning Commission and staff recommended because of the way the road is there, a cul-de-sac street, the sidewalk could be waived. They have placed sidewalk and applied curbing on Whiteford Road; across the street is Diehl Toyota, which has sidewalks. The owners have two frontages effectively. They have provided

landscaping and stormwater up against the street, as well as street trees and other landscape buffers covering 30 or 40 feet of green area between the parking lot and the street.

**MR. DVORYAK MOVED WITH REFERENCE TO SUBDIVISION 06-07 ACTION MOTOR SPORTS TO GRANT**

- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-13.A – FINAL PLANS SHALL BE DRAWN ON A SCALE OF 50 FEET TO THE INCH OR 100 FEET TO THE INCH;**
- **WAIVER OF SALDO §289-26.C – BUFFER YARD SHALL BE PROVIDED IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE;**
- **MODIFICATION OF SALDO §289-22.A – CURBING ON SOUTSIDE OF SITE**
- **MODIFICATION OF SALDO §289-23 – INSTALLATION OF SIDEWALKS ALONG THE SOUTH SIDE (T681) OF WHITEFORD ROAD.**

**WITH REFERENCE TO SD-06-07, ACTION MOTOR SPORTS, MR. DVORYAK MOVED TO APPROVE THE PLAN AS PRESENTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**K. LD-06-05 – Action Motor Sports Land Development – Action (10/25/06)**

**RAO**

Mr. Rao provided background information in a August 24, 2006 memorandum. This action covered the land development side. He provided photographs in PowerPoint presentation showing zoning district, aerial view of the site, view of the south side and existing business and plans for the expanded footprint.

**MR. BOWMAN MOVED WITH REFERENCE TO LD-06-05, ACTION MOTOR SPORTS, TO APPROVE THE FOLLOWING WAIVERS AND CONDITIONS:**

- **WAIVER OF SALDO §281-7 B – POST DEVELOPMENT CALCULATED PEAK DISCHARGE SHALL NOT EXCEED PRE-DEVELOPMENT PEAK DISCHARGE ASSUMING THE PRE-DEVELOPMENT GROUND COVER IS MEADOW;**
- **WAIVER OF SALDO §281-7- J – NO STORM WATER MANAGEMENT FACILITY SHALL BE INSTALLED OVER EXISTING OR PROPOSED UTILITY MAINS AND SERVICES;**
- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-13 A – FINAL PLANS SHALL BE DRAWN AT A SCALE OF 50 FEET TO THE INCH OR 100 FEET TO THE INCH;**
- **WAIVER OF SALDO §289-26 C – BUFFER YARD SHALL BE PROVIDED IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ALONG T-681 SOUTH SIDE OF PROPERTY;**
- **MODIFICATION OF SALDO §289-22 A – CURBING ON SOUTH SIDE (T-681) OF SITE;**
- **MODIFICATION OF SALDO §289-23 – INSTALLATION OF SIDEWALKS ON T-681 SOUTH SIDE OF PROPERTY.**

**MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT 06-05, ACTION MOTOR SPORTS, TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **INSTALLATION OF SIDEWALKS ON T-355 WHITEFORD ROAD;**
- **SURETY BOND AND LETTER OF CREDIT MUST BE ESTABLISHED;**
- **LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR E&S CONTROL;**
- **ALL LANDSCAPE BUFFER YARDS SHALL BE INSTALLED IN ACCORDANCE WITH AMERICAN ASSOCIATION OF NURSERYMEN.**

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

**L. LD-05-17.F – CHR Corp. (Rutter’s) – Action (9/14/06)**

**RAO** Mr. Rao provided background information concerning the LD 05-17.F, as documented in a August 24, 2006 memorandum. The property currently contains a vacant industrial building, and the applicant proposes a convenience store with fuel dispensing. He stated that a preliminary plan had been approved by the Board of Supervisors on June 22, 2006, and the Planning Commission recommended several conditions, all of which were documented in the memorandum.

**BISHOP** Mr. Bishop questioned whether there was any distinction between approval or issuance by PennDot of the Highway Occupancy Permit.

**RAO** Mr. Rao responded that approval and issuance are the same.

**LUCIANI** Mr. Luciani added that PennDot does not actually approve HOP’s; they issue them.

**BISHOP** Mr. Bishop asked Mr. Rao to elaborate on his item 8 “Correct southern access drive to above failing condition” and 10, “North and south bound skip lanes to transition through intersection.”

**RAO** Mr. Rao responded that item 8 is to correct the southern access drive into Rutters.

A lengthy discussion took place concerning the safe turning movements into the proposed Rutter’s site. A summary of points follows:

- A previous condition was a right-in, right-out into the site.
- An amended report showed a left-in, right-in and left-out provided an acceptable level of service resulting in the number 8 condition being removed as unnecessary.
- The Board was concerned about the left-out, which level of service failed.

- Allowing only the left-in raised the level of service to B.
- Preliminary approval condition included the right-in, right-out at the southern entrance; however, the plan continued to show a left-in at the southern entrance.
- The right-in, right-out access is the safer option.
- Shared turning lanes are not 100% safe situations.
- Turning lane provides for motorists making a left turn into Wallace Street.

**SCHENCK**

Chairman Schenck indicated that he wanted clarification on the language in the Preliminary Plan approval. He recalled that it was approved with a right-in, right-out only condition. He asked for the Rutter's position on the issue.

**THOMAS**

Mr. Eric Thomas, LLC Design, responded that their position is that the driveway functions at an acceptable level of service. PennDot approved it in the Traffic Study. There was nothing that they could find in the subdivision and land development ordinance that would disallow the intersection as proposed, as long as it met the acceptable levels of service; therefore, that was why it was the left-in, right-out only.

**HOLMAN**

Mr. Holman stated that he understood the conditions in the PennDot letter regarding the HOP, which indicated it should be solved between the developer and the Township.

**THOMAS**

Mr. Thomas responded that he was correct. The Traffic Impact Study indicated it was satisfactory; however, they need to convince the Township that it functions at acceptable levels of service.

**CREASY**

Mr. Greg Creasy, Grove Miller Engineering, stated that in his discussions with PennDot, it was indicated that the comment appeared in the letter due to the statements in a letter from the Township indicating concerns.

**THOMAS**

Mr. Thomas reported that a number of the other conditions that had been itemized were addressed. Those which were still outstanding were:

- The Highway Occupancy Permit.
- Location and method of street lighting to be finalized.
- Surety bond will be forthcoming from Mr. Rutter.
- Southern access to be addressed.
- Documentation of agreement to access and regrade property to the north of the site – need signatures (to be finalized 8/25/06).
- North and southbound skip lanes transition.

**RAUSCH**

Solicitor Rausch reviewed the minutes from the June meeting. The Motion by Mr. Gurreri included revising the plans with the right-turn in, right-turn out at the southern access into the site. Solicitor Rausch

assumed that that condition was listed into the letter that was given to the developer which raises a legal issue. Solicitor Rausch referred to a letter dated July 20, 2006 to CHR Corp. which included all the conditions made in the motion of June 22, 2006 including revising the plan for the right turn in and out at the southern access into the site. In the Solicitor's opinion, the legal issue was that because there was no appeal filed from that preliminary approval with that condition on it the applicant must adhere to the condition.

**THOMAS**

Mr. Thomas asked for further explanation.

**RAUSCH**

Solicitor Rausch explained that when a preliminary approval is granted with conditions, if the applicant does not agree with those conditions, an appeal is filed. If no appeal is filed, then the conditions are deemed accepted.

**THOMAS**

Mr. Thomas asked why it had not been brought to their attention since the plans were submitted.

**BISHOP**

Mr. Bishop responded that it had been in the motion during the June 22 meeting, and it was documented in a letter to the applicant that was just read.

**LUCIANI**

Mr. Luciani stated that during a staff meeting the right-in, right-out turns at that entrance were discussed. At that time Mr. Creasy stated that they did not agree with that. Mr. Luciani stated that only the Board of Supervisors could overturn that condition.

**RUTTER**

Mr. Tim Rutter recalled during that meeting that the Solicitor stated his concern if a condition was put on the plan and PennDot approved it with the access as described where that would end up if it was appealed. He asked Solicitor Rausch for clarification.

**RAUSCH**

Solicitor Rausch responded that his concern was if PennDot would specifically allow a left-hand turn lane, it would become a fight between the Township and PennDot. However, PennDot doesn't pre-empt Township regulations. He added that there is an independent regulation that can still be complied with in the subdivision ordinance, in a provision under section 289.32 sub 5 which indicates that direct access to an arterial or collector road shall be permitted only when the subject property has no other reasonable access to the street system, and only if the Township Engineer determines that the proposed access point onto the street can be accommodated safely by meeting PennDot safe sight distance and sufficient traffic gaps to safely enter and exit the access point. The subdivision ordinance does permit the Township Engineer to give an opinion to the Board as to the safety factors on any given access point,

which the Engineer has done. So there's really two issues here: one is there was a preliminary approval with conditions that were not appealed, and secondly on the substantive issue there still is the issue of the Township Engineer's giving a determination that there is not a safe turning recommendation to turn left into this site.

**RUTTER** Mr. Rutter commented that a previous report allowed that as a passing/safe level of service. He asked how the safety issue is determined.

**RAUSCH** Solicitor Rausch responded that he understood and that it would be a fight that would have to be determined elsewhere. If the Township Engineer is providing a recommendation that is at odds with what the developer's engineer is saying, then the Board has to make a determination as to which way they're going to go and proceed from there. The bigger point is there was preliminary approval with conditions. So if the applicant asks the Board whether they are they going to remove that condition, that's their right to do that, but otherwise it stands.

**RUTTER** Mr. Rutter stated for clarification that if the plan were to go forward, it would do so with that condition unless the Board chooses not to override the condition.

**RAUSCH** Solicitor Rausch responded that he was correct.

**BISHOP** Mr. Bishop noted that if the condition remained important to the Board, the condition should be restated in order to approve the plan.

**RAUSCH** Solicitor Rausch responded that it should be even stronger; that whether it was reasonable or not, the condition is on the plan. The final plan should be approved with the condition because the Board imposed it at the preliminary stage and has the right to continue the condition. There are no objections to any others. Solicitor Rausch stated that the plan needed to be approved by September 14<sup>th</sup>. The Board could table the plan and act when the preliminary plan condition is included; or grant final approval with that condition in place.

**SCHENCK** Chairman Schenck opened the floor for additional public comments.

**HOFFMEYER** Attorney William Hoffmeyer stated that he had submitted a brief. He made several comments summarized as follows:

- He cited the Court Order by Judge Kennedy on November 23, 2004 which stated that Exhibit 4 preliminary plan served as a model for the land development plan application;

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- CHR agreed to maintain stormwater management basin on property south of Wallace Street in a natural state; plans continue to show seven parking spaces in that area.
- The use of parking at the fuel dispensing pumps is inappropriate.

**SCHAEFER**

Mr. Tom Shaefer, 138 North Keeseey, commented on the following:

- Truck parking was eliminated from the plan; however, the citizens would like some assurance that at some future date there will not be a petition issued forward requesting the use of trucks in this space for this facility.
- Public safety is of paramount importance re/the right-in, right-out issue.
- The citizens reserve the right to appeal any decision, final approval or with whatever that the Board comes forward.

**EISENHART**

Ms. Jan Eisenhart, 25 North Manheim Street asked for the Highway Occupancy Permit application number.

**SCHENCK**

Chairman Schenck responded that it was 115471.

**SCHENCK**

Chairman Schenck cautioned that any Motion should be consistent with the Preliminary Plan approval.

**BISHOP**

Mr. Bishop stated that he realized that the neighbors are very passionate about this topic. He wanted to make it clear that he would not make this Motion if he thought that the development would destroy their neighborhood.

**MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 05-17.F, CHR CORP., RUTTER'S FARM STORE NUMBER 11, TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **HOP APPROVAL BY PENNDOT;**
- **DOCUMENTATION INDICATING THAT PENNDOT, YORK COUNTY PLANNING COMMISSION, YORK COUNTY CONSERVATION DISTRICT AND AFFECTED PUBLIC UTILITIES HAVE BEEN PROVIDED WITH A COPY OF THE FINAL LAND DEVELOPMENT PLANS;**
- **OWNER'S NOTARIZED SIGNATURE MUST BE ON THE FINAL PLAN;**
- **NAME, SEAL AND SIGNATURE OF REGISTERED SURVEYOR AND ENGINEER MUST APPEAR ON THE PLAN;**
- **PROPOSED LAND DEVELOPMENT MUST BE SECURED BY A SURETY BOND;**
- **DOCUMENTATION OF INCLUSION IN THE TOWNSHIP'S CHAPTER 94 REPORT;**
- **A REVISED PLAN BE SUBMITTED WITH RIGHT TURN IN, RIGHT TURN OUT AT THE SOUTHERN ACCESS TO THE SITE;**

- **DOCUMENTATION OF THE AGREEMENT TO ACCESS AND REGRADE THE PROPERTY ON THE NORTH SIDE OF THE SITE;**
- **NORTH AND SOUTH BOUND SKIP LANES TRANSITIONING THROUGH THE INTERSECTION.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck reported his concern about the electronic billboard on Route 30 near the Saturn dealership. He stated that it is a serious traffic hazard; unbelievably bright at night; distracting; and changes every five seconds. Mr. Holman previously had advised Chairman Schenck that it just appeared, and the proper sign permitting process was probably not followed.

**HOLMAN** Mr. Holman responded that he and Solicitor Rausch will review the matter. It is a pre-2005 application or a pre-adoption of the current sign ordinance of controls, but there are still controls in the older ordinance that he needed to review.

**SCHENCK** Chairman Schenck commented that he did not think the old ordinance allowed interior lit signs. He added that at night it lights up the area nearly to the Caterpillar building.

**DVORYAK** Mr. Dvoryak stated that it is definitely a safety issue from his own personal experience of being compelled to take his eyes off the road. He added that the intersection is notoriously dangerous.

**HOLMAN** Mr. Holman added that he will get PennDot involved, since it is on a PennDot road.

**SCHENCK** Chairman Schenck recalled that about a year and a half, two years ago he recalled discussing it with this board about these signs, which will require vigilance because their use is growing.

**BISHOP** Mr. Bishop asked what happened to the animated sign on Memory Lane at the credit union.

**RAO** Mr. Rao responded that there had been an accident where a truck hit the sign.

**SCHENCK** Chairman Schenck asked Lt. Trott what he thought.

**TROTT** Lt. Trott responded he thought it was too bright especially at the curve and coming up on a traffic light.

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**BISHOP** Mr. Bishop publicly apologized to the Board members who showed up for the Springettsbury Business Association's picnic on Sunday, August 13<sup>th</sup>, which was cancelled at the last minute. They forgot to notify everyone.

**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 reported that he had provided a supplement to his regular report, in which he provided names of people with whom the Township will be entering into easement agreements for Barwood Road. He wanted to make sure that the Board was aware of that for the Motion. Also there is a Joint Fire Title consideration. He asked whether the Board could review the name to determine whether there was any opposition to the name York Area United Fire and Rescue. If there were no objections to that name, he will take it forward to the Jt. Fire Services Committee. He added that the volunteers reviewed it and it received the highest vote by a fraction.

**SCHENCK** Chairman Schenck stated that he had been reviewing the name with the volunteers, who approved it; the paid firefighters indicated they had hoped for something more traditional but they could live with it.

**BISHOP** Mr. Bishop did not object to it.

**BOWMAN** Mr. Bowman indicated his approval as well.

**Consensus of the Board was an approval of the name.**

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

**A. Ordinance No. 06-07 – No Parking Zones on Green Ridge Lane, Hammond Road, Woodside Road and South Hill Road**

**HOLMAN** Mr. Holman stated that the ordinance was advertised. He thanked the police department for taking care of this. It had not required a public hearing, and numerous petitions had been received. Provided the Board approved it, Mr. Lauer is prepared to begin getting the signs up before the start of school.

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 06-07. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Amend Resolution No. 06-59 to include August Schaefer Park**

**SCHENCK** Chairman Schenck stated that the Resolution is to add August Schaefer Park to a grant request through DCED.

**MR. BISHOP MOVED TO AMEND RESOLUTION NO. 06-59 TO INCLUDE AUGUST SCHAEFER PARK. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Enter into Easement Agreements for Barwood Road Project**

**MR. BISHOP MOVED TO AUTHORIZE THE TOWNSHIP TO ENTER INTO EASEMENT AGREEMENTS FOR THE BARWOOD ROAD SEWER PROJECT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Public Hearing (Liquor License Transfer) – July 27, 2006**
- B. Board of Supervisors Public Hearing (Stone Ridge Road) – July 27, 2006**
- C. Board of Supervisors Regular Meeting – July 27, 2006**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES AS PRESENTED IN ITEMS A, B, AND C. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Deputy Tax Collector**

**HOLMAN** Mr. Holman stated that the Tax Collector asked that the item be placed on hold until September for future discussion.

**14. NEW BUSINESS:**

- A. Authorization to Advertise Ordinance No. 06-09 – Amending Code of Ordinances; Establishing Special Purpose Parking Zones upon Certain Township Property.**

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF ORDINANCE NO. 06-09. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Advertise Ordinance No. 06-10 – Amending Code of Ordinances; Addition of Provisions Related to Plumbing Licensing and Plumbing Issues Not Addressed by the Uniform Construction Code.**

**SCHENCK** Chairman Schenck stated that he would like a separate briefing. He had always had an interest in plumbing licenses and was not sure of the changes. He indicated he wouldn't mind moving on the item.

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**HOLMAN** Mr. Holman responded that the item is just being brought back into the Code. The UCC required it but didn't provide it and there was an error in the Ordinance. He stated that it would be just re-adopting what should have been in the Ordinance.

**SCHENCK** Chairman Schenck asked whether there were any changes.

**HOLMAN** Mr. Holman responded that there were no requirements for changes. The Plumbing Code is being put back in the Ordinance.

**MR. DVORYAK MOVED TO AUTHORIZE ORDINANCE 06-10. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise Ordinance No. 06-11 – Amending Code of Ordinances; Chapters 325 “Zoning” and 289 “Subdivision and Land Development”**

**HOLMAN** Mr. Holman stated that there were typos in the sign ordinance that did not follow exactly the intent of the ordinance. They are technical changes for clarification.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISEMENT OF ORDINANCE 06-11 AMENDING THE ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. 2007 Budget Work Session Schedule**

**HOLMAN** Mr. Holman asked for a general idea from the Board as to whether he should plan the Budget Work Sessions based on the format last year which included morning, afternoon and evening meetings, along with interaction with the department heads. He will provide a list of meeting date schedules for the Board.

**Consensus of the Board was agreement that the format was fine but to stay away from having meetings during business hour time.**

**E. Appointment to Comprehensive Plan Committee**

**HOLMAN** Mr. Holman stated that the Planning Commission requested to replace Mr. Meyerhoff with Mr. Bender as a representative on the Comprehensive Plan Committee.

**Consensus of the Board was agreement to appoint Mr. Bender to the Comprehensive Plan Committee.**

**F. NIMS Compliance Letter**

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**HOLMAN** Mr. Holman stated that a letter was received indicating that the Township is in general compliance with NIMS. The chief elected official of the Township will need to sign off on the letter. A motion from the Board is required approving the Chairman to sign the letter. The Township substantially met the NIMS requirement at this time.

**STERN** Mr. Stern stated that the Township had substantially complied but added that some of the requirements are not yet possible to meet.

**HOLMAN** Mr. Holman added the only thing they really want to do is get a training exercise in, and Mr. Stern is working with the county and the state, as well as to have a desktop exercise and then a full training exercise.

**MR. BISHOP MOVED TO AUTHORIZE THE CHAIR TO SIGN THE NIMS COMPLIANCE LETTER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Acknowledge Receipt of July 31, 2006 Treasurer's Report**

**MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF JULY 31, 2006 TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck reminded the Board of the Executive Session to follow. He adjourned the meeting at 9:25 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING – STONE RIDGE ROAD**

**JULY 27, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, July 27, 2006 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  
George Dvoryak  
Nick Gurreri  
Mike Bowman

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:45 p.m. He stated that the purpose of the public hearing was to review the abandonment of a section of Stone Ridge Road. He asked whether anyone from the public had comments or questions. (There were none.)

**HOLMAN** Mr. Holman commented that it was necessary to make corrections to the plot plan itself as well as corrections to the description of the right-of-way to the abandonment. Those corrections had been made and have been checked by the Township Engineer and the Township Solicitor.

**RAUSCH** Solicitor Rausch indicated that the property owner was sent notification of the public hearing.

**2. NEW BUSINESS:**

**A. Vacating Portion of Stone Ridge Road**

**HOLMAN** Mr. Holman stated that corrections were made to the description.

**GURRERI** Mr. Gurreri asked whether the Board would be voting during the Regular Meeting held this date.

**SCHENCK** Chairman Schenck responded that the Ordinance appeared on the Agenda for action. It had been properly advertised.

**3. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING – LIQUOR LICENSE TRANSFER**

**JULY 27, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, July 27, 2006 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:32 p.m. He stated the purpose of the public hearing was to review the transfer of a liquor license into Springettsbury Township.

**2. NEW BUSINESS:**

**NICHOLAS** Attorney Steve Nicholas represented the applicant, Abuelos, Inc., and was accompanied by Beltran Estrada, one of the principles.

- Attorney Nicholas reported that the Notice of the Public Hearing had been posted on the premises by Township Ordinance since 7/17/06. In accordance with Act 141, Year 2000 an application was made for the Intermunicipal Transfer of Liquor Licenses. The license is currently owned by Stonehouse Tavern, Inc, 644 S. Queen Street, York, PA 17403. The license is R-10038, and is expected to be moved to 2818 East Market Street across from the Home Depot, a purchase being transacted by his client.
- Attorney Nicholas reported that his client is one of good, moral character and has the financial ability to fund this project. The owners of the company, including Mr. Estrada, are Jose Trejo and his wife Monica, and Vidal Bravo. None have ever been charged with or convicted of any crime. They are all related to the president and founder of the company, Jesus Arellano, who resides in Virginia. The restaurant is a family-oriented business.
- The proposed location will include 3100 square feet and 2000 square feet will be used for serving areas. The restaurant can seat about 96 patrons. There

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will be no actual bar; all service will be at tables. The history of the restaurant is that ratio of food to alcoholic beverages is 90% food to 10% alcoholic beverages. There will be take out beer. Sale of take out beer is negligible – ½ to 1% of the gross sales. They anticipate that the restaurant will generate 20 to 25 full and part time jobs. The on-site Manager will be Mr. Estrada, who is experienced in setting up the restaurant and making sure it is running properly, as well as being a part owner.

- The hours of operation will be 7 days a week Monday through Thursday, 11 a.m. to 10 p.m.; Friday and Saturday 11 a.m. to 10:30 p.m.; Sunday from 11 a.m. to 9 p.m.
- The menu will include a children's menu since it is a family-oriented restaurant with the emphasis on the sale of food. The alcohol is there for convenience of the customer.

Attorney Nicholas concluded that his clients have been welcome and responsible business people in all the communities where their businesses are located. He assured the Board that it would not change, and he respectfully requested the approval of the request.

**SCHENCK** Chairman Schenck asked whether there was anyone who had any questions for the public hearing.

**BISHOP** Mr. Bishop asked about the percentage of owners since Mr. Estrada was said to be a partner. It appeared that all the owners added up to over 100%.

**NICHOLAS** Attorney Nicholas responded that since the application was submitted, several changes had taken place; however, Mr. Estrada will have proper ownership.

**SCHENCK** Chairman Schenck indicated that he was familiar with the restaurant chain, and Attorney Nicholas' testimony was accurate. He added that the item appeared on the Agenda for the Regular meeting.

**4. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

Ja

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PUBLIC HEARING – LIQUOR LICENSE TRANSFER**

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APPROVED**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 27, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 27, 2006 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  
Chris Beauregard, Civil Engineer  
Dennis Craybill, Environmental Engineer  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Andrew Stern, Interim Fire Chief  
David Eshbach, Police Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**A. Opening Ceremony**

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

**GURRERI** Mr. Gurreri thanked everyone for coming and asked for prayer for the men and women in the Armed Services. He led the Pledge of Allegiance.

**B. Loyalty Oaths – Patrolmen Richard Thompson and Jennifer Ulerick**

**ESHBACH** Chief Eshbach introduced Patrolman Richard Thompson and provided background information on his education and experience. He joined the Police Department on July 17, 2006.

**GURRERI** Mr. Gurreri led Mr. Thompson in the Oath of Office.

**ESHBACH** Chief Eshbach presented him with his official ID badge, #20, followed by introductions of his family members present.

**ESHBACH** Chief Eshbach introduced Patrolwoman Jennifer Ulerick and provided information on her education and experience. She joined the Police Department on July 18, 2006.

**GURRERI** Mr. Gurreri led Ms. Ulerick in the Oath of Office.

**ESHBACH** Chief Eshbach presented her with her official ID badge, #30, followed by introductions of her family members present.

**B. Presentation of Accreditation Certificate from Pennsylvania Chiefs of Police Association**

**ESHBACH** Chief Eshbach introduced Richard Hammond and Amy Corel of the Pennsylvania Chief of Police Association, Pennsylvania Law Enforcement Accreditation Commission.

**HAMMOND** Mr. Hammond stated that he managed the Pennsylvania Law Enforcement Accreditation program for the Association. He stated that it was important, not only for the municipal officers and authority, but also for the citizens of the Township. The Accreditation program started five years ago with its purpose to further professionalize law enforcement. Springettsbury Township is the 39<sup>th</sup> Police Department that had been accredited. He further explained that not every Police Chief in the Commonwealth is willing to make an attempt to complete a very time-intensive, detail oriented project. There are 124 standards in the program and each standard has to have a policy that covers it; then there must be proof that the department does follow its own policies through compliance. This program takes about 18 to 24 months. Assessors come from other areas of the state. The Chief sent in from Allegheny County had completed eight assessments and had been very heavily involved in the process. As he left Springettsbury's facility he stated Springettsbury's department was the best he had seen with no doubt.

Mr. Hammond awarded the Certificate of Accreditation to Chief Eshbach.

**COREL** Ms. Corel added that she personally wanted to congratulate the Department and Chief Eshbach for this special accreditation.

**ESHBACH** Chief Eshbach stated that the significance of being the 39<sup>th</sup> department in Pennsylvania indicates that they are in the top 3%, since there are 1200 police departments in Pennsylvania. He added that this is the best testament of the fine people in the

department, and if it wasn't for them, he wouldn't be holding the certificate. They earned it.

**SCHENCK**

Chairman Schenck stated that the Board was very proud of the Police Department. He thanked Chief Eshbach and his department. He also thanked Mr. Hammond and Ms. Corel for coming to the meeting and making the presentation.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK**

Chairman Schenck announced that an Executive Session will be held immediately following the Regular meeting with regard to personnel matters.

**3. COMMUNICATION FROM CITIZENS:**

**SODERBERG**

Ms. Faye Soderberg, a resident of New Hampshire, stated that she had grown up in North York. She had been staying at the Hampton Inn taking care of her Aunt's estate. She wanted the Board to know that she thought the Comprehensive Plan was outstanding. She found in her Aunt's articles an artifact she wanted to present to the Township from 1972, which she provided to Chairman Schenck.

**SODERBERG**

Ms. Soderberg added a comment concerning how the Tri-State area where she lives handles development. The developers must provide a certain amount of land for schools when they start to develop some of the large areas.

**SCHENCK**

Chairman Schenck thanked her for the article and for taking the time to visit the meeting.

**SURTASKY**

Tony Surtasky, 2245 Mt. Zion Road, discussed the construction on Mt. Zion Road. He indicated that for the most part the tractor-trailers had adhered to the detour. However, there were a few who did not see signage when coming from Whiteford Road, as well as Pleasant Valley Road. Mr. Surtasky had notified PennDot that there were no signs at those two intersections.

Mr. Surtasky reported that when electrical storms come, it shorts out the signals for the railroad track on North Hills Road. At the same time that turns the traffic lights red. A railroad engineer has to come from Enola to correct the rail signals. He encouraged the Board to take a good, long look at the situation during the development of the Rutter's store in the area because traffic will increase, and the Fire Police will need assistance.

**SCHENCK** Chairman Schenck added that because of his involvement with the Fire Company Board, he was aware that it is a spot where the Fire Police are called out on a regular basis for that signal at North Hills and the railroad tracks. He asked Mr. Holman to review the issue with Norfolk Southern.

**HOLMAN** Mr. Holman responded that he will get a report from Mr. Stern, contact Norfolk Southern and meet with their site personnel.

**HUFFNAGLE** Frank Huffnagle, 849 East 11<sup>th</sup> Avenue, put a Petition in the 6<sup>th</sup> of July concerning speeding, noise and trucks. Everyone in the neighborhood signed the Petition. There are people who walk in the neighborhood, children, three bus stops during school in the morning and three in the afternoon.

**SCHENCK** Chairman Schenck stated he had read the Petition, which was very well written and he had observed the situation. Mr. Huffnagle's observations are accurate. The street is becoming a cut-through.

**HUFFNAGLE** Mr. Huffnagle added that the trucks that take wrecked cars to the junk yard could go up Sherman Street, take a left and go straight across.

**SCHENCK** Chairman Schenck stated that his recommendation was specific and a new and interesting approach concerning putting a weight limit there. He asked whether that could be done.

**HOLMAN** Mr. Holman responded that there will be a traffic meeting with the Police Chief, Public Works and the Engineer. They will visit the area and see what could be done there in terms of public safety.

**SCHENCK** Chairman Schenck added that there would be some necessary studies done before the issue would be resolved.

**HOLMAN** Mr. Holman indicated he would respond to Mr. Huffnagle.

**STINE** **Stone Ridge Road**  
Ms. Marie Stine of 3580 Stone Ridge Road, spoke concerning Ordinance 3580 – Vacating a portion of Stone Ridge Road.

**SCHENCK** Chairman Schenck stated that a hearing had been held on the subject earlier during the evening. However, he would hear her comments.

**STINE** Ms. Stine stated, for the record, that due to the vacating of the portion of that road, she had been blocked out of her property; she now has no entrance in nor exit out, and she definitely used that for parking. Nothing had been done to correct the situation. She sought an attorney, who is working with Pasch Construction. Pasch is trying to place the blame on the Township, so she has to re-direct her situation back to the Township. She is in the middle, and no one wants ownership of the problem.

**4. ENGINEERING REPORTS:**

**A. Environmental Engineer**

**CRAYBILL** Mr. Dennis Craybill provided the report in Mr. Schober's absence. He reported that the permit for the Barwood Road Sewer project had been received. They are moving forward on the Long Range Sewer Plan. A Notice of Award was sent out regarding the Pistol Range Improvements project. Shop drawings have been received and are being reviewed, and a pre-construction conference will be scheduled. Authorization was received to design the replacement sewer sections of Memory Lane and Mt. Zion Road and the design process had begun.

**SCHENCK** Chairman Schenck asked about the status on the right-of-ways for the Barwood project.

**HOLMAN** Mr. Holman responded that permitting had been received from DEP, which was mailed back this date. Three of the six property owners had signed; two are in Solicitor Rausch's office for re-naming due to ownership transfers. He had been in contact with all of the owners and does not anticipate any difficulty. Nothing can be done until the signed permit from DEP is received at which time the work can move forward. He expected to go out to bid in August, and that following receipt of the bids, a Work Session that the Board had requested for review could be scheduled. Everyone was very cooperative.

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

**BEAUREGARD** Mr. Chris Beauregard provided the report in Mr. Luciani's absence. He stated that Bob Yost real estate plan on Eastern Boulevard is currently under review, and they are trying to resolve some parking issues. Dunkin Donuts/Baskin Robins on Mt. Zion Road is currently being re-submitted and reviewed. Action Motor Sports on Whiteford Road is nearing completion. A number of items are yet to be resolved concerning the Chronister property on

Pleasant Valley Road. Long Jones Parks Subdivision is being revised.

Stoneybrook Shopping Center is also a subdivision going forward. Rutter's final plan, which the Board will act upon later this date. Concord Road project continues to move forward. There are some maintenance issues related to the York Valley Inn. Township officials have stepped up enforcement in order to redevelop that project. Stonewood Road will be acted upon this date. The HOP was received for Sheridan Road/Mundis Mill project. There are a number of documentation issues to be resolved. Market Street/Mt. Zion Road project improvements to the intersection are being reviewed. A relatively important subdivision project is under review for the Meadow Creek, which is a property adjacent to the Central High School, and also is adjacent to the Mundis Mill Sheridan Road intersection currently being redone.

**DVORYAK**

Mr. Dvoryak stated that he understood the Sheridan/Mundis Mill intersection was to have a temporary signal light. The plan was to get it in before the detour. He asked whether the light could be installed now that the permit was received.

**HOLMAN**

Mr. Holman responded that it would be a permanent light, and the plan was to get it in before the detour. However, PennDot had issues with the permit. He added that the Surety Bond would be delivered by July 28<sup>th</sup>.

**SCHENCK**

**Abandonment – Stone Ridge Road**

Chairman Schenck indicated that Mr. Beauregard's report indicated that the deed work was still not completed regarding the abandonment on Stone Ridge. It was Chairman Schenck's understanding that it had been cleared.

**HOLMAN**

Mr. Holman indicated that the deed was cleared up; what was not settled is the argument between Mr. Pasch and Mrs. Stine.

**BEAUREGARD**

Mr. Beauregard reported that the outstanding issue was exactly how wide the right-of-way of that road section was, which was not clear on the previous plans. They had completed a review of the right-of-way for that section of road and it had been cleared up.

**5. ACCOUNTS PAYABLE:**

- A. DOLI Construction Corporation – Application for Payment No. 2 – Eden Road Interceptor in the amount of \$321,068.28**
- B. Carroll Buracker & Associates, Inc. – Payment No. 2 – Consulting Services for Joint Fire Services Study in the amount of \$19,950**

**C. Regular Payables as Detailed in the Payable Listing of July 27, 2006**

**MR. GURRERI MOVED FOR APPROVAL OF ACCOUNTS PAYABLE, ITEMS A, B, AND C. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Enter into Agreement with Buchart Horn, Inc. to Provide Engineering Services for Grit Removal Project at an estimated cost of \$198,000.**

**HOLMAN** Mr. Holman stated that he had one question regarding the detail of hours included. He had not received that information until earlier this date. However, it is consistent with the other jobs going on. It was actually the start of the BNR project.

**MR. BOWMAN MOVED TO AUTHORIZE TO ENTER INTO AN AGREEMENT WITH BUCHART-HORN TO PROVIDE ENGINEERING SERVICES FOR THE GRIT REMOVAL PROJECT AT AN ESTIMATED COST OF \$198,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter into Agreement with Concord Public Finance to Serve as Financial Advisor for the Township's Sewer/BNR Financing Project**

**HOLMAN** Mr. Holman reported that Concord Public Finance had been very generous in providing the Board a presentation a few weeks ago. Concord has worked with the Township in the past. They are very professional and do excellent work compared with other groups.

**MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH CONCORD PUBLIC FINANCE TO SERVE AS FINANCIAL ADVISOR FOR THE TOWNSHIP'S SEWER/BNR FINANCING PROJECT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to award road construction bids.**

**MR. GURRERI MOVED TO AUTHORIZE TO AWARD ROAD CONSTRUCTION BIDS TO FITZ & SMITH IN A NOT-TO-EXCEED AMOUNT OF \$189,950. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to advertise for sealed bids – Haines Road Median Project**

**HOLMAN** Mr. Holman indicated that placing this project out for bids at the same time the bids are placed for Concord Road may help reduce

the cost with regard to Haines Road. He anticipated that, at the same time, they may be out for bids on the Central High School Safe Routes to School program. He requested authorization to advertise.

**MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE FOR SEALED BIDS – HAINES ROAD MEDIAN PROJECT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-05-13 – Market Street Commons Add-On Lots Time Extension – Plan Expires 8/11/06 (New Plan Date – 11/9/06).**
- B. LD-05-18 – Market Street Commons Add-On Lots Time Extension – Plan Expires 8/11/06 (New Plan Date – 11/9/06)**
- C. SD-06-06 – Meadow Creek Subdivision Time Extension – Plan Expires 8/24/06 (New Plan Date – 11/22/06)**

**MR. BISHOP MOVED TO ACCEPT THE TIME EXTENSIONS, ITEMS A, B, AND C. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**A. LD-06-03 – Chili’s (Action) 10/26/06**

**RAO** Mr. Rao presented LD-06-03 – Chili’s and provided background information in a July 27, 2006 memorandum. The site is currently a pad site to be leased to Brinker Penn Trust to construct a 5,876 square foot stand-alone Chili’s Restaurant as part of the York Town Center shopping mall. He provided a PowerPoint presentation reviewing the location, zoning, an aerial view, ground view of existing site, overall plan, existing site plan, parking, lighting, landscaping, and interior and exterior elevations. He added that Staff recommended approval of the plan with several waivers and conditions.

**SCHENCK** Chairman Schenck noted that the Board was well familiar with the overall project. There had been a public hearing for a Liquor License transfer as well.

**BISHOP** Mr. Bishop asked about the mechanics of the one condition concerning the surety bond and letter of credit. He asked what actually was being requested.

**RAO** Mr. Rao responded that the developer will provide a letter to his office with the bond; he will forward it to First Capital to verify

that the entire amount of construction will be within the bond estimate. It provides financial security from the bank.

**MR. GURRERI MOVED FOR APPROVAL OF LD-06-03, CHILI'S RESTAURANT WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-10 – PRELIMINARY PLAN;**
- **WAIVER OF SALDO §289-11B – PRELIMINARY PLANS DRAWN ON LINEN OR MYLAR;**
- **DOCUMENTATION INDICATING THAT PENNDOT HAS BEEN PROVIDED WITH A COPY OF PLANS;**
- **LETTER OF ADEQUACY FROM THE YORK COUNTY CONSERVATION DISTRICT FOR E & S CONTROLS;**
- **LANDSCAPE AND BUFFER YARDS INSTALLED AND MAINTAINED BY ACCEPTED PRACTICES AS RECOGNIZED BY THE AMERICAN ASSOCIATION OF NURSERYMEN;**
- **SURETY BOND AND LETTER OF CREDIT, AMOUNT TO BE DETERMINED BY THE TOWNSHIP ENGINEER;**

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

**B. SD-06-01 – Market Street Commons Lot 5 (Re-approval of Plans)**

**HOLMAN** Mr. Holman stated that the difference in this plan and the previous plan is that this plan has the 33 foot right-of-way documented correctly. It's the base plan for everything else that goes on that site.

**RAUSCH** Solicitor Rausch added that he was correct. They met with the developer's representative to try to resolve the situation with the neighbor. One suggestion that was to provide a right-of-way to the lots adjacent across from her parking pad in order for her to use that parking area to get to her property.

**HOLMAN** Mr. Holman added that the Township had discussed that with the developer as well, and it was understood that was their plan. The Township could make that a condition of the plan. The paperwork is being cleaned up, and money is being shifted; however, it authorizes the Township to incur construction costs.

**MR. BOWMAN MOVED FOR RE-APPROVAL OF PLANS FOR SD-06-01, MARKET STREET COMMONS, LOT 5. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. LD-05-10 – Members First Federal Credit Union**

There was no necessary action taken this date.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported he read a story about Todd King, a resident of Springettsbury Township, who was promoted to Platoon Sergeant. He also mentioned the Keystone Games to be held at the Expo Center and congratulated the participants.

**BISHOP** Mr. Bishop mentioned that the York County Convention Bureau has the primary responsibility for the Keystone Games.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman requested action on the small flow sewer system on Ridgewood Road. He added that groundbreaking will take place for senior housing in the Township on Pasch property which will enable the Township to meet some of the goals of the Comprehensive Plan. He reported that the Comprehensive Plan Committee continues to work with the Ordinances.

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

**A. Ordinance No. 06-03 – Vacating a Portion of Stone Ridge Road**

**MR. BISHOP MOVED FOR ADOPTION OF ORDINANCE 06-03, VACATING A PORTION OF STONE RIDGE ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Ordinance No. 06-06 – Revisions to Park Ordinance**

**SCHENCK** Chairman Schenck noted that the revisions related to no smoking and no skateboarding in the park.

**MR. DVORYAK MOVED TO ADOPT ORDINANCE 06-06, REVISIONS TO PARK ORDINANCE. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1. MR. GURRERI VOTED AGAINST.**

**C. Resolution No. 06-57 – Removal of Street Light (Pole across from 2923 North Sherman Street).**

**HOLMAN** Mr. Holman indicated that the street light is no longer needed on Mundis Mill and Sherman Street. He will make certain the Township does not receive a bill for this work.

**MR. GURRERI MOVED FOR APPROVAL OF RESOLUTION NO 06-57, REMOVAL OF STREET LIGHT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 06-58 – Liquor License Transfer – Abuelos, Inc.**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-58, LIQUOR LICENSE TRANSFER, ABUELOS, INC. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 06-59 – DCNR Grant Application for Master Site Plan Projects – Pleasureville Park and North Hills Parcel.**

**SCHENCK** Chairman Schenck asked for more information.

**HOLMAN** Mr. Holman responded that this action simply authorized the application for a Master/Site Plan for review.

**MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 06-59 – DCNR GRANT APPLICATION FOR MASTER SITE PLAN PROJECTS – PLEASUREVILLE PARK AND NORTH HILLS PARCEL. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 06-60 – Authorizing Modification to Concord Road Improvement Project Agreement**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-60, AUTHORIZING MODIFICATION TO CONCORD ROAD IMPROVEMENT PROJECT AGREEMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Traffic Signal Easement Agreement – THF York Development, L.P. – Intersection of Northern Way and Industrial Highway**

**HOLMAN** Mr. Holman indicated this will allow the Township to enter into the Sam's property entrance on Northern Way and Industrial to install and maintain the loop detectors and traffic signal devices for the traffic light that will be installed there by the developer.

**MR. GURRERI MOVED TO APPROVE THE TRAFFIC SIGNAL EASEMENT AGREEMENT, THF YORK DEVELOPMENT, L.P., INTERSECTION OF NORTHERN WAY AND INDUSTRIAL HIGHWAY. MR. DVORYAK WAS SECOND.**

**BISHOP** Mr. Bishop reiterated his position that, even though the Concord Road crossing is an excellent idea, he thought the Board had

dropped the ball in providing access to the crossing in a meaningful way that will actually carry any traffic. This intersection and the whole area behind Sam's is a mess. He understood that they are moving forward with the best thing they can possibly do at the moment, but he did not think that any attention had been given as to how to get a road that is reasonably straight and will take the volumes of traffic. He agreed with doing this right now, but encouraged the Board to see the bigger picture.

**GURRERI** Mr. Gurreri agreed with Mr. Bishop. He indicated that several years ago they had attempted to work with the landowner there to put a straight road in but were unable to do so.

**BISHOP** Mr. Bishop added that no effort had been taken recently.

**MOTION UNANIMOUSLY CARRIED.**

**H. Small Flow System – Ridgewood Road**

**SCHENCK** Chairman Schenck stated that the small flow systems for homeowners had been allowed in the past. They are regulated by DEP. He saw no problem with approving the request.

**BISHOP** Mr. Bishop stated for clarification that it would be approving a planning module, which is contingent upon the Operating Agreement between the property owner and the Township.

**HOLMAN** Mr. Holman added that the property owner has to sign off on it.

**MR. BISHOP MOVED TO APPROVE A SEWER PLANNING MODULE FOR A SMALL FLOW WASTEWATER SYSTEM FOR WAYNE AND LISA LUCKENBAUGH, 3801 RIDGEWOOD ROAD, CONTINGENT UPON EXECUTION OF OPERATION AND MAINTENANCE AGREEMENT BETWEEN THE PROPERTY OWNER AND THE TOWNSHIP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Public Hearing (Comprehensive Plan) – June 22, 2006**
- B. Board of Supervisors Work Session (BNR Project) – June 22, 2006**
- C. Board of Supervisors Regular Meeting – June 22, 2006**

**MR. GURRERI MOVED TO APPROVE BOARD OF SUPERVISORS, PUBLIC HEARING, WORK SESSION AND REGULAR MEETING HELD JUNE 22, 2006 AS AMENDED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT IN ATTENDANCE.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Deputy Tax Collector**

**SCHENCK** Chairman Schenck stated that a proposal had been received for the Board to authorize a position of Deputy Tax Collector. He asked Mr. Holman for further information.

**HOLMAN** Mr. Holman responded that the Tax Collector had requested the authorization in order to appoint a Deputy Tax Collector. He asked Solicitor Rausch to review the statutory guidelines. Surety must be provided equivalent to what the Tax Collector has.

**BISHOP** Mr. Bishop questioned whether the Board would be approving the idea that there would be a Deputy Tax Collector, or giving authority to the Tax Collector to appoint one. He asked additionally whether this action would change it forever.

**RAUSCH** Solicitor Rausch noted that the Second Class Township Code authorizes the Board to okay the position. He thought that in future elections the Tax Collector would have the option to request it.

**DVORYAK** Mr. Dvoryak asked whether there would be another way to accomplish what it is that the Tax Collector wanted; for instance, in a case where the Tax Collector would be unable to perform her duties. He asked whether the Board of Supervisors could appoint an Interim Tax Collector.

**RAUSCH** Solicitor Rausch responded that the position is an elected one.

**BISHOP** Mr. Bishop indicated he didn't have a problem with moving forward with it. He noted that it hadn't forced the issue that if the Tax Collector is incapacitated, it might not be apparent for a long time.

**GURRERI** Mr. Gurreri commented that it would be interesting to know what would happen if something happened to the Tax Collector.

**RAUSCH** Solicitor Rausch agreed to review the issues.

**Consensus was to hold any action until further information could be obtained.**

**B. Authorization to Advertise Ordinance for No Parking on Silver Spur Drive**

**MR. BISHOP MOVED FOR AUTHORIZATION TO ADVERTISE ORDINANCE FOR NO PARKING ON SILVER SPUR DRIVE. MR. BOWMAN WAS SECOND.**

**DVORYAK** Mr. Dvoryak asked whether this action would be a lifetime action, or when the lady moves out of this apartment it will be changed.

**HOLMAN** Mr. Holman responded that if the family is no longer there and the bus no longer has to stop there, then the Township would adopt an ordinance to remove it.

**MOTION UNANIMOUSLY CARRIED.**

**C. Acknowledge Receipt of June 30, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE JUNE 30, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop acknowledged receipt of a recommendation that we have a Bocce court in Springettsbury Township. He is 100% in favor of Bocce especially if someone else wants to pay for the court.

**BOWMAN** Mr. Bowman indicated that a resident asked him for the latest information on the Waste Water odor. The resident was just asking.

**HOLMAN** Mr. Holman responded that the odor control system is operating. Mr. Hodgkinson advised Mr. Holman that he had not received any other phone calls with regard to odor. The first step is to increase the use of odor control system. With any complaint Mr. Holman urged individuals to please phone him so he is aware of any problems.

**DVORYAK** Mr. Dvoryak indicated he had spoken to one of the residents who attended the meeting where the issue was discussed during public comment. The resident advised Mr. Dvoryak that since that meeting he had not noticed any odors.

**SCHENCK** Chairman Schenck added that the composting probably was done.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JULY 27, 2006  
APPROVED**

**HOLMAN** Mr. Holman noted that there are some supplies left on site because they are used.

**SCHENCK** Chairman Schenck noted one apparent benefit; there was a system that was not really working and if the option is there, the system should be used.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m. He reminded the Board of the Executive Session to follow.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING – COMPREHENSIVE PLAN**

**JUNE 22, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, June 22, 2006 at 6:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Director of Community Development  
Mark Hodgkinson, Director of Wastewater Treatment Plant

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6 p.m. He stated that the purpose of the meeting was to discuss the proposed Comprehensive Plan. He asked Mr. Rao to provide additional information.

**RAO** Mr. Rao stated that the draft Comprehensive Plan had been prepared for adoption. He introduced Marion Hull, who provided a PowerPoint overview of the Plan.

**HULL** Ms. Hull stated that she would briefly summarize the planning process and some of the key recommendations. The meeting was held in order to hear what residents of Springettsbury Township had to say about the plan. Ms. Hull provided a brief PowerPoint presentation of the Plan, which involved interviews with various stakeholders and community interest groups. Community meetings had been held, as well as a meeting with the Planning Commission as directed by the MPC. The focus of the project was how to make the best use of the land within the Township, protecting open space and the existing character of the community. Some re-development ideas were presented, which included establishing a town center with residential and commercial buildings connecting with parks and open space. Management of traffic congestion was discussed understanding that resources are limited. The Plan recommended strengthening protections for existing residential neighborhoods, focusing

some changes in commercial and industrial development and insuring a continued strong tax base. Increased mixed use development of apartment options and commercial areas with some additional pedestrian areas were proposed. Streetscape improvements, which include governmental resources from township, state and federal. Improving street connectivity would help with traffic calming. Protection of environmental and agricultural resources with increased protection are important within the Municipal Planning Code. The Zoning Ordinance review will provide a clear and consistent development review process and provide for higher standards.

**SCHENCK** Chairman Schenck opened the floor for public comment. He stated that he was surprised at the lack of attendance. He added that everyone was fairly familiar with the plan and comfortable with it. He asked Mr. Holman how the meeting was advertised and promoted.

**HOLMAN** Mr. Holman stated that all notices and advertisements were done; it was placed on the website, all members of the Planning Commission were personally contacted, as well as members of the Committee.

**SCHENCK** Chairman Schenck asked whether the advertisement was just the typical legal advertisement for a Public Hearing.

**HOLMAN** Mr. Holman responded that it had been advertised in accordance with the statutes, which included publications to the County, to all of the local municipalities, notification to all the members. A notice was placed in the newsletter. However, that was off by one meeting because of the advertising time frame, but that was corrected and notifications were sent out to interested individuals. Mr. Holman stated that the advertisement of the entire process had been very extensive.

**SCHENCK** Chairman Schenck commented that it could be that people who participated in the process were thoroughly familiar with the Plan. He added it was just a general question and not a negative comment.

**SCHAEFER** Mr. Tom Schaefer, 138 North Keesey Street, stated that he thought in the past residents had received little postcards which might've been a step that was missed, but to be fair there had been a lot of prior contact. There had been a lot of citizen input and people may have felt that they've had their say. He complimented Ms. Hull and her group for a superb job. He pointed out the bolstering historic preservation item and called for a step that specifically would put historic preservation legislation in action. He noted the potential removal of commercial apartment zoning and replacing it with mixed densities. He referred to the Plan document and questioned whether that would allow an individual to demolish an existing property

upon purchase and build that out to 75% of the lot size, and whether a lot of those properties could be broken down into smaller apartments.

**HULL** Ms. Hull responded that it would be reviewed in the new Zoning Ordinance.

**VANGIESEN** Mr. Peter VanGiesen, 1888 Mt. Zion Road, stated that Ms. Hull had done a wonderful job with the Comprehensive Plan. In their group they would like to see the whole plan adopted and to move forward to make the community better.

**BENZINGER** Ms. Mitzi Benzinger, 3021 Trout Run Road, stated that she shared Chairman Schenck's concern with the lack of public attendance. There might have been some more obvious notices in the newspaper and perhaps some postcards sent out. Not everyone checks the website. In addition, the meeting had been pushed ahead a month. Ms. Benzinger complimented the consultant and the committee on a thorough job. She was happy to see references to preserving the Open Space and rural character of Druck Valley. She noted that a Comprehensive Plan is only as strong as the Ordinances that follow. She urged the Township to be very bold in creating Ordinances that will, in fact, follow the plan and make it strong. Legal backing is important to uphold the future planning of the community.

**SCHENCK** Chairman Schenck asked Ms. Hull to explain what would happen, assuming the Plan is adopted. He asked what would occur with the Ordinances and the Zoning.

**HULL** Ms. Hull responded that if the Plan is adopted the next step is to move forward and update the Zoning and Subdivision and Land Development Ordinances. The Committee will be reviewing in great detail the existing zoning, and inconsistencies with recommendations in the Plan. The plan is to move forward over the summer with the Committee and review one section of the Ordinances at a time. First, they will review all the residential uses, then the commercial and industrial uses and the associated supporting regulations which will include signage. Following that review they will return to the Zoning Hearing Board, Planning Commission, the community and the Board of Supervisors to review potential changes. In addition to the technical work, there will be a fairly intense set of workshop meetings with the Planning Commission, elected officials and public meetings with the general community.

**HOLMAN** Mr. Holman stated that there are two Appendices that will be added to this Plan. One will be the Parks and Recreation Open Space Study currently being reviewed and potentially completed by December. An additional

review is being made on the 50-Year Sewer Replacement Improvement long-term plan.

**SCHENCK** Chairman Schenck commented that zoning maps seemed to be important elements to include. He wondered whether there would be time.

**HOLMAN** Mr. Holman responded that there will be time and they will be included. He stated that they are well underway and will be completed through the review of the Zoning process. He looked forward to the Park and Open Space Plan, as well as the Sewer Plan.

**GURRERI** Mr. Gurreri noted that it was great to have so many residents who came to many of the meetings. The larger meetings were attended by at least 100 people and there were a lot of comments. The Comprehensive Plan is good because the residents came and made it so.

**HOLMAN** Mr. Holman thanked Ms. Hull, the staff and everybody from the interns who worked on this, to Jim Baugh, Erika Belen, Harish Rao who came at the end and got to deal with it, along with Stacy MacNeal. It had been a combined effort on everyone's part.

**2. ADJOURNMENT:**

**SCHENCK** Chairman Schenck thanked all those who attended the meeting and adjourned at 6:30 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION - BNR STUDY**

**JUNE 22, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on the BNR Study on Thursday, June 22, 2006 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  
George Dvoryak  
Nick Gurreri

**MEMBERS NOT**

**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Director of Community Development  
Mark Hodgkinson, Director of Wastewater Treatment Plant

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck opened the Work Session regarding the BNR (Bio Nutrient Reduction) Study.

**A. BNR Study Project**

**HODGKINSON** Mr. Hodgkinson provided an introduction to the Study and stated that it related to the Chesapeake Bay Agreement with Pennsylvania, Maryland and Virginia. The monetary number had grown since the beginning of the study; however, evaluation continues as to what is best for the Township with fine tuning of the plan moving forward. The project must be completed by the year 2010 and will affect all Chesapeake Bay drainage which includes nearly 200 treatment plants. He asked Mr. Schober to provide his PowerPoint presentation.

**SCHOBBER** Mr. Schober reported that there were several reasons for reviewing the upgrade. A synopsis of those follow:

- Aeration Upgrade – Mixers fling sewage up in the air and micro-organisms receive oxygen. Units are 25 years old; replacement programmed into Capital Budget.
- More oxygen needed - Investigating use of diffused air.
- Bay/DEP Strategy – More strict limits on nitrogen and phosphorous, which impact the Bay.

- Aeration tanks, when full, hold approximately 4 million gallons of water.
- IFAS – Integrated Fixed Film Activated Sludge – A conventional activated sludge system; micro-organisms constantly mixed and aerated which provide a place for the micro-organisms to attach which doubles/triples the population.
- Suspended Media – Four-inch sponges provide surface area for micro-organisms to grow providing better treatment. Eliminate building massive concrete structures.

**SCHOBER**

Mr. Schober reported that three manufacturers were visited where they reviewed the disburse system and the fixed system. Photographs were provided showing aeration tanks with air diffusers, ring core sponges, blowers, internal recycling pumps (no new tanks needed).

- HYBAS System – Uses little plastic chips; recommended. Excellent technical support; flexible, operator friendly.
- Primary Clarifiers – Use existing tanks with partitions to create biological zones.
- Grit Removal – Accumulates at bottom of tank; requires draining and cleaning once a year.
- New BNR system will have piping and air diffusers to continually remove grit from the system.
- Pilot test done on site. New system used 1/50<sup>th</sup> of the flow, but removed more grit.
- Less expensive to haul and dispose of; can be odorous but will be contained in a building.
- Hydro International Grit Cape System – Recommended because of superior track record.
- Typical installation – 18 feet across, concrete structure with hand railing and step structure.

**Additional Capital Improvement Projects**

- Motor control center upgrade that operates the electrical switchgear boxes that power everything.
- Emergency Power Upgrade – There are actually two power sources.
- Upgrading the Head Works Screening - Directly related to the BNR system and having the screens in place in order to remove all the material that could clog up the BNR system.
- Clarifier improvements - Also associated with the BNR to enhance the capability to settle out the activated sludge.

**Cost:**

- Total project cost of approximately \$1.8 million including miscellaneous upgrades.
- Proposed schedule in two phases: Grit first, BNR upgrade second.

- DEP Completion deadline 2010.

**DVORYAK** Mr. Dvoryak asked about the major capital costs involved and whether there is any significant difference in the on-going costs for maintaining or operating the different systems that were reviewed.

**SCHOBER** Mr. Schober responded that among the systems they are all relatively the same. The proposed system probably will cost a little more in power than the current system, but more air will be added; other than that costs are all relatively the same.

**SCHENCK** Chairman Schenck commented that the type of compressors used in the diffused air system often emit a high-pitched whiney noise. He asked whether there was any technology to minimize or eliminate the noise.

**SCHOBER** Mr. Schober responded that there are different types and the positive displacement compressors tend to be a lot louder. They will likely use a centrifugal blower which is quieter. In addition, silencers will be used and the building interior will be treated with sound blocks.

**SCHENCK** Chairman Schenck asked whether the hauling program for the waste haulers was detrimental to the Township.

**SCHOBER** Mr. Schober responded that it is an additional load, but on a percentage basis it is not that significant.

**HODGKINSON** Mr. Hodgkinson added that the sludge is a lot higher in nitrogen than the normal sanitary sewer. It is delivered every day with approximately 15 million gallons a year. To stop would mean stopping the receipt of \$400,000 in revenue. Mr. Hodgkinson commented that the upgrades proposed will not increase the Waste Treatment Plant capacity.

## **B. Financial Planning**

**HOLMAN** Mr. Holman introduced Chris Gibbons of Concord Public Finance, to present options of the financing on what was presented to the user group. He is working with the attorney to provide a formal letter to the user group. The funding option includes \$24 million.

**GIBBONS** Mr. Gibbons provided hard copy of the Synopsis of Financing Options. The options had been discussed with the participating municipalities, which will be requested to select an option. A summary of his presentation follows:

- Mr. Gibbons provided an interest rate chart showing rates from 2001 to 2006.

- Option 1 - Level Debt Service – Annual cost is \$1,789,579 million.
- Debt Service/Municipality – Broken down by % of current allocation.
- Option 2 – Wrap Around Structure – Pay same payment each year; interest only for a portion of time; then principle in a 20-year term.
- Difference between Option 1 and 2 significant – Annual cost for Option 2 is approximately \$956,000 versus \$1,789,579 million.
- Interest expense will be higher on the Wrap-Around Debt Service Option - Essentially the total debt service cost right below the Options 1 and 2 are approximately \$450,000 difference. Annual decrease in debt service costs approximately \$850,000; Pay approximately \$450,000 over the life of that 20-year wrap schedule.

**SCHENCK** Chairman Schenck noted that the User Group had reviewed the financing and liked the Wrap-Around scenario.

**GIBBONS** Mr. Gibbons responded that it would be his recommendation because it provides the most financial flexibility.

**SCHENCK** Chairman Schenck asked whether anyone had done a very simple calculation of what it would mean to the residents who pay their sewer bill.

**HOLMAN** Mr. Holman responded that he had done a very quick guestimate at approximately \$10.00 to \$15.00 a quarter. Additionally, that will depend on how much money the Township provides at the onset. There are funds reserved for the project and some surplus funding will be spent in replacement of the existing lines in the system as part of the 50-Year Plan. The project is scheduled for 2007, and Mr. Gibbons will provide recommendations on the best timing to achieve the best rates. The time frame to start on the Grit System is May, 2007; with construction in November, 2008.

**SCHENCK** Chairman Schenck asked whether the other municipalities would have the option to decide how much they want to front end this project and have some schedule for their share of the debt service.

**GIBBONS** Mr. Gibbons responded that they have an option to contribute to the project or pay their proportionate share of the debt service. They need to notify the Township before the financing commences.

**HOLMAN** Mr. Holman indicated that he was working with Solicitor Rausch through the User Group agreement. He added that there is a lot of work to be done.

**GIBBONS** Mr. Gibbons noted that this is just the first round of many discussions on the financing.

**HOLMAN** Mr. Holman asked the Board whether they liked the Wrap-Around idea.

**DVORYAK** Mr. Dvoryak responded that he would like more time for review.

**SCHENCK** Chairman Schenck added that he would respond at a later time.

**2. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JUNE 22, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 22, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**MEMBERS NOT**

**IN ATTENDANCE:** Mike Bowman

**ALSO IN**

**ATTENDANCE:** John Holman Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Mike Schober, Environmental Engineer  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Andrew Stern, Interim Fire Chief  
Dave Eshbach, Police Chief  
Jack Hadge, Finance Director  
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 welcomed the attendees and was pleased with the Fire Fighters in attendance in full dress uniforms. He mentioned the two soldiers brutally murdered in Iraq and asked that everyone keep the men and women in the armed services in prayer. Mr. Gurreri led the Pledge of Allegiance.

**B. Oath of Office – Aaron E. Eckert, Temporary Full-Time Fire Fighter**

**SCHENCK** Chairman Schenck stated that one of the great joys of life is to do what one always wanted to do. Aaron Eckert's life long dream was to be a Fire Fighter. He is the grandson of Don and Audie Eckert. Chairman Schenck noted he had worked with Aaron through his involvement with the Volunteer Fire Company and was honored to administer the Oath of Office to him. Chairman Schenck administered the Oath.

**ECKERT** Mr. Eckert introduced all those supporting him from the Fire Department, as well as friends and family members.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck reported that no Executive Sessions had been held; however, one was scheduled for immediately following the Regular Meeting this date regarding real estate matters and litigation.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for comments from citizens. He suggested to hold any comments that are specific to items later on the Agenda. He requested those who comment to please use the microphone, state name and address for the record.

**GORDON** Mr. Bernard Gordon, 2201 Eastern Boulevard, stated that he had been a Springettsbury resident since 1954. He lives in Florida for six months and in York for six months of the year. He objected to the mandatory payment to Penn Waste for trash collection. He indicated that his objection was not the dollar amount, but rather the principle of the matter. He suggested that the trash fee be included in the tax collection so that the residents could at least receive a tax deduction. He added that if other citizens would join him, he would hire an attorney to see if the law could be overturned; however, it was not his desire or intent to do so.

**STUHR** Charles Stuhre, 3680 Trout Run Road, stated that since the new construction work began on Mt. Zion Road/Sherman Street, initially the signage seemed to be working. However, many people going in the direction of Mt. Wolf discovered that instead of following the detour they can turn right on Druck Valley, left on Trout Run, left on Lower Glades Road, go all the way down a very narrow road and come out by the sewer plant and proceed north. Mr. Stuhre's observation was that hundreds of cars a day are using that route. He assumed that PennDot did the signage and suggested contacting them requesting that the Lower Glades Road entrance be completely blocked at the lower end at Mt. Zion and Druck Valley with a partial barricade for local residents.

**BENZINGER** Ms. Mitzi Benzinger, 3021 Trout Run Road, echoed Mr. Stuhre's comments. She cited increased traffic on a small road, large SUV's and tour buses, no shoulders, stone walls at road's edge, fences, and potential tragedy. She offered her residence for a police vehicle presence, especially early in the morning and in the evening. She also suggested additional signage.

**HOLMAN** Mr. Holman stated that he would discuss the situation with Mr. Lauer, Mr. Luciani, and PennDot and added that Chief Eshbach will take care of enforcement.

**BENZINGER** Mrs. Benzinger asked whether Lower Glades was part of the detour.

**HOLMAN** Mr. Holman responded that Lower Glades is not part of the detour.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported that the Eden Road Interceptor project was finished and is being used. The contractor submitted an application for payment, and everything should be finalized in July with the final punch list items completed. Mr. Schober had provided a presentation earlier this date on the BNR Study. He met with staff and will be incorporating the Long Range Sewer Plan into the Comprehensive Plan and the Long Range Planning. The Pistol Range project appears on the Agenda for approval.

**GURRERI** Mr. Gurreri complimented Mr. Schober on his presentation of the BNR Study.

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

**LUCIANI** Mr. Luciani reported several updates to his written report. He had submitted a revised Market Street/Mt. Zion Road concept plan along with costs for intersection improvements. Some survey work had been done on property lines and utilities. Regarding Concord Road, work is still ongoing with PennDot to get final plans submitted and approved. They are waiting for the Categorical Exclusion Evaluation. The contractor and engineer for the Edgewood Road development met with the Township. Their application shows a retaining wall along Edgewood Road which was not on the approved plan. That presented three issues which were discussed with them: 1) The Ordinance does not permit walls within the right of way whether it is a PennDot or local road; 2) It wasn't on the original plan, and 3) It has not been designed yet. The staff had been working through those issues. The intent is not to hold up the sidewalk work, but these issues were unknown. They are working with Mr. Rao to resolve those three issues. A coordination meeting was held with the contractor for Mundis Mill/Sheridan Road Signal. Work should be started in the next few weeks. A staging area is being established, and the mast arms were measured. Some mast arms are six or seven feet too long, but that should not be a problem. Mr. Luciani mentioned that a No Parking Ban exhibit was provided for the vicinity of Central School so that students can't park in neighborhoods.

**GURRERI** Mr. Gurreri asked whether Concord Road will be completed by the October date.

**LUCIANI** Mr. Luciani responded that October had been the schedule; however, there are some bid time frames and a completion by October date will be very tight. Mr. Luciani is waiting for the state's advice as to what additional review the Categorical Exclusion will require.

- GURRERI** Mr. Gurreri noted that after October it could not be completed until spring because of blacktop restrictions.
- LUCIANI** Mr. Luciani responded that any municipal project has to use a material called Superpave; its use stops October 15<sup>th</sup> where it previously could be used up to October 31<sup>st</sup> and begins again April 1<sup>st</sup>. Grading work, inlets, and binder work could be done; it could be opened and topped when Superpave would be allowed. He added that the same thing will occur with the York Town Center project. A coordination meeting will be held with them to be sure that the two projects tie together.
- BISHOP** Mr. Bishop asked whether the developer of Edgewood/Kingswood may request a variance.
- LUCIANI** Mr. Luciani responded that they have two options. They could eliminate the wall and build it the way it was designed and the Board approved, or modify that plan. He added that they would have to apply for a variance if they want to maintain the wall.
- BISHOP** Mr. Bishop stated for clarification that the variance would be for putting a wall in the right of way.
- LUCIANI** Mr. Luciani stated that he was correct. The Ordinance was adopted during the Galleria construction. No walls are permitted in the right of way whether it is a state or local road.
- 14. C. Presentation of 2005 Audit Report – Sager, Swisher and Company, LLP**
- SCHENCK** Chairman Schenck made a small deviation to the Agenda under item 14.C, which was a presentation of the audit report. As a courtesy to the professional, he would be heard along with other professional reports.
- REINIER** Mr. Michael Reinier of Sager, Swisher and Company provided a summary of the audit report for the year ending December 31, 2005. The audit had been carefully reviewed by the administration and Mr. Dvoryak, and Mr. Reinier did not intend to review the report in great detail during this meeting. He stated that the key to the report is the audit opinion, and they had given a clean audit opinion on all the financial statements of the Township. The Township consists of a number of entities. The Primary Government Unit has 16 funds, the General Fund, four Special Revenue funds, four Capital Projects funds, of which one was closed this year, the DCED Grant Fund. There are also three Pension Funds, two Trust Funds and an Escrow Fund. That makes up the Township as a Primary Government. They also audited in conjunction with that, the three fire companies and the Ambulance Association, all of which are included in the report. The GASBE 34 compliance was included, with an MBNA section document prepared by management, which was not audited. Limited procedures

were performed on that document and stated as such. A synopsis of Mr. Reinier's presentation follows:

Statement of Net Assets:

- Total assets of the Township - \$84 million of the primary government.
- Four component units - \$1.8 million.
- Liabilities of the government - \$4.4 million;
- Net Assets - \$80 million, which includes infrastructure and capital assets of the Township.

Fund Balance:

- General Fund Revenues – Over \$10.5 million of the total revenue.
- Special Revenues in Capital Projects combined – Just Under \$2 million.
- Total revenue - \$12 million.

Expenses:

- General Fund - Just Over \$10 million.
- Other Projects - \$2 million;
- Of the 9 funds a profit of \$409,000 for the year;
- Total fund balance for the Township of all funds combined to \$5.2 million.

Wastewater:

- Total assets - \$42 million in assets and \$3 million in liabilities
- Net asset value - \$39 million
- Operating Expenses
- Increase in Grant Revenues \$500,000
- Wastewater Expenditures were well maintained and controlled;
- Increase in total cost of wastewater expenses was 4%.
- Net Asset or profit indicates a surplus that is added to the Fund Balance.

Budget comparison of General Fund:

- Total expenditures budgeted and actual expenditures incurred –
  - Budgeted just over \$10 million – actually spent within \$50,000 of the budget (½ of 1% of operations on a \$10 million budget).

Fiduciary Funds, Pension Trust Funds, Private Purpose Trust Funds were not reviewed.

**REINIER**

Mr. Reinier stated that a management letter or comment section was developed through the course of the audit, which began in February and field work was completed in April. At that time management provided the MBNA document. He complimented Mr. Holman, Mr. Hadge and staff for cooperation in putting the audit together. The results revealed that the Township is well maintained and well run, fiscally sound and financially accountable in its financial reporting elements.

**HOLMAN**

Mr. Holman indicated that the report was excellent. They pointed out areas where they could continue to improve so they can do a better job each year. He complimented Jack Hadge and his staff, as well as the administrative staff, Mrs. Bowders, Mrs. Speicher and Public Works and indicated that they all worked

together to make the budget work. By the end of the year he always hopes to stay on budget, but he thought \$50,000 was a little tight.

**REINIER** Mr. Reinier stated that the suggestions within the Management Letter include items that had already been addressed in most cases and already there had been changes implemented. The Township management take the auditor's suggestions seriously and react very quickly to make changes, which the auditors appreciated.

**SCHENCK** Chairman Schenck stated that he was always pleased with Mr. Reinier's work and even more pleased with the staff's reaction to his recommendations. The list keeps getting shorter and shorter.

**HOLMAN** Mr. Holman noted that one of the problems in going year-to-year in the General Fund was the accounting for grants. The grants were taken out of the General Fund and placed within their own fund, as authorized by the Board. This will provide for a better balance in the General Fund.

**DVORYAK** Mr. Dvoryak indicated that, regardless of the level of spending, he wanted to thank Mr. Holman and his staff for their efforts in controlling spending in the Township. It is for that reason and that fiscal discipline that it was not necessary to raise taxes again this year. He appreciated their efforts in doing that.

**5. ACCOUNTS PAYABLE:**

- A. Carroll Buracker & Associates, Inc. – Payment No. 1 – Consulting Services for Joint Fire Services Study in the amount of \$19,950**
- B. Regular Payables as Detailed in the Payable Listing of June 22, 2006**

**MR. GURRERI MOVED TO APPROVE ACCOUNTS PAYABLE A. AND B. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck stated that one of the items authorized was payment for the Joint Fire Services Study. He learned that the County thought it was a great project and awarded \$15,000 to the Township for that Study.

**HOLMAN** Mr. Holman confirmed that it was \$15,000 towards the local match.

**SCHENCK** Chairman Schenck asked that an acknowledgment be made to the County for that.

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

- A. Authorization to Award Bid – Bertolet Construction Corporation for Police Pistol Range Improvements in an amount not to exceed \$171,510.**

- SCHENCK** Chairman Schenck asked whether all the contractors were satisfactory and within the budget.
- SCHOBBER** Mr. Schober responded that the low bidder was somewhat unfamiliar; however, they had been reviewed and determined to be satisfactory.
- SCHENCK** Chairman Schenck noted that the low bid was under budget.
- DVORYAK** Mr. Dvoryak asked whether the \$171,510 is the expected cost of the project or whether it depended on which of the options/alternates are selected.
- HOLMAN** The \$171,510 is all options inclusive and they will be spread out over a couple of years. The budget came in initially at \$125,000. The funding is in place to cover the \$171,510. The Pistol Range will be closed only once this summer.
- SCHOBBER** Mr. Schober added for clarification that item G4 is the amount to add, if they don't do the pavilion, which would still need a roof on it. If the pavilion is not done, the money won't be spent on G4.
- HOLMAN** Mr. Holman stated that G4 was an add or a deduct, and no one took that as a deduct; it actually was an add on.
- SCHOBBER** Mr. Schober responded that a deduction could be requested.
- HOLMAN** Mr. Schober stated that, unfortunately, no one bid it as a deduct.

**MR. BISHOP MOVED TO AUTHORIZE TO AWARD THE BID TO BERTOLET CONSTRUCTION FOR THE POLICE PISTOL RANGE IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$171,510. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Award 2006 Material and Resurfacing Project Bids as Outlined in June 14, 2006 Memorandum from Director of Public Works.**

- SCHENCK** Chairman Schenck stated that item B. covered the annual road materials bid, which is a long bid process with multiple vendors involved. Mr. Lauer had summarized where all the products need to be purchased.

**MR. GURRERI MOVED TO APPROVE AUTHORIZATION OF THE AWARD FOR 2006 ROAD MATERIAL RESURFACING PROJECT BIDS AS OUTLINED IN JUNE 14, 2006 MEMORANDUM BY THE DIRECTOR OF PUBLIC WORKS. MR. DVORYAK WAS SECOND.**

- HOLMAN** Mr. Holman commented that Mr. Lauer would like an authorization as part of this to re-bid a portion that is being rejected, which is the base that must be re-bid.

**LAUER** Mr. Lauer stated that the bids came in higher than anticipated for 2006, and some road work needs to be done. Another bid is being put together to do some alternates. Quite a few streets need base repair, and he wanted to re-bid part of this to get another price.

**SCHENCK** Chairman Schenck clarified that the action was not part of the motion on the table.

**MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED TO AUTHORIZE TO RE-BID THE ITEMS THAT WERE NOT AWARDED IN THE DIRECTOR OF PUBLIC WORKS JUNE 14 MEMO. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman indicated that Mr. Lauer's concern was that Superpave was up over 45% over last year's costs.

**C. Authorization to Award Bid – Greer Lime Company – Pulverized Quicklime Contract for the period July 1, 2006 through June 30, 2009. Price per ton: \$115 (2006), \$122 (2007), and \$130 (2008).**

**MR. DVORYAK MOVED TO AUTHORIZE AWARDED THE BID TO GREER LIME COMPANY FOR THE PULVERIZED QUICKLIME CONTRACT FOR THE PERIOD JULY 1, 2006 THROUGH JUNE 30, 2009. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENTS:**

- A. LD-02-02 – Associated Wholesale Time Extension – Plan Expires 6/30/06 (New Plan Date – 9/28/06).**
- B. LD-06-04 – Longhorn Steakhouse Time Extension – Plan Expires 7/27/06 (New Plan Date – 10/25/06)**
- C. LD-06-05 – Action Motor Sports Time Extension – Plan Expires 7/27/06 (New Plan Date – 10/25/06)**
- D. SD-06-07 – Action Motor Sports Time Extension – Plan Expires 7/27/06 (New Plan Date – 10/25/06).**

**MR. GURRERI MOVED TO APPROVE TIME EXTENSIONS A. THROUGH D. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. LD-06-01 – Stony Brook Gardens Land Development – Action (7/28/06)**

**RAO** Mr. Rao provided background information as contained in his June 22, 2006 memorandum. The purpose of the plan is to build a 84-unit congregate living facility. The improvements to this lot are indicated on the approved plan for the Market Street Commons development. Mr. Rao presented the plan for action. He provided a PowerPoint presentation showing an aerial view of the site, an

existing site plan, lighting and landscaping/buffer plan. He noted the necessity for buffering due to the different zoning districts.

Mr. Rao stated the conditions and waivers as of today:

- Waiver of Preliminary Plan is still outstanding.
- Financial Security has been approved by the Township Engineer has been provided and approved but not yet received.

**SCHENCK** Chairman Schenck asked whether any deviation had been requested for the landscaping and buffer requirements.

**LUCIANI** Mr. Luciani responded that there was an approved Land Development Plan for this site for the AMC Theater. They have supplemented the landscaping from that plan. They have larger width and a 30-foot buffer width in front of the building and in the parking area.

**SCHENCK** Chairman Schenck noted that there were very few open issues. He asked for questions from the Board or the Developer.

**STAHLMAN** Mr. Jerry Stahlman provided a check to Chairman Schenck.

**RAUSCH** Solicitor Rausch commented that the check was to cover the underlying engineering fees, not with this particular plan, but with the underlying plan on which this is a part.

**HOGG** Mr. David Hogg of Springwood Commercial Realty, stated he had a letter from their lender. He asked with whom they should discuss the bonding or the forward commitment of funds for the public improvements.

**HOLMAN** Mr. Holman responded that they should speak with Mr. Rao.

**STAHLMAN** Mr. Stahlman requested, because of the lender, that the Board entertain an approval subject to providing that bond, which amount had been established just for the improvements.

**RAUSCH** Solicitor Rausch suggested that the developer take a few minutes to explain the project.

**HOGG** Mr. Hogg responded that the project included an 84-unit congregate living facility for seniors with modest means very similar to the one in York Township, Springwood Overlook that sits behind the Giant on the hill. It has a number of supportive services provided by Southern Community Services Coalition, Inc., which is their co-general partner on the development. It includes workout room, library and chapel and all sorts of different amenities to enhance the lives of the seniors. They typically find that the people come from about a five-mile radius to move in. Typically they're selling the family home and can't take care of the lawn any more. They try to provide them with a really nice environment where

they can enjoy the rest of their years. They typically don't have much turn over. They either go to a nursing home or die. This facility is for age 62 years of age and over.

**BISHOP** Mr. Bishop asked about the role of York County Planning.

**HOGG** Mr. Hogg responded that they are the lender. They are providing funding for the development through the Affordable Housing Trust Fund through some Federal Home Funds, and they are supplementing the financing of the project. They will be the first mortgage lender.

**HOLMAN** Mr. Holman asked whether there would be some tax credits.

**HOGG** Mr. Hogg responded that he was correct; there will be tax credits involved.

**MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT 06-01, STONY BROOK GARDENS, LOTS 6 & 7 OF THE MARKET STREET COMMONS DEVELOPMENT, TO APPROVE THE FOLLOWING WAIVER:**

- **WAIVER OF SALDO §289-10 PRELIMINARY PLAN.**

**WITH REFERENCE TO THE SAME LAND DEVELOPMENT 06-01, TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **ALL OUTSTANDING ENGINEERING FEES MUST BE PAID IN FULL;**
- **PROVIDING A FINANCIAL SECURITY IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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

**RAUSCH** Solicitor Rausch commented that the Township can now move forward, since the underlying engineering fees were paid, to finalize the revisions to the underlying plans. That will all take place during the July meeting and it will be coordinated so everything will be filed and recorded.

**LUCIANI** Mr. Luciani added that the road would be included as well.

**RAUSCH** Solicitor Rausch stated that all issues will be handled. This plan will go through, however, there are some issues on the revised underlying plan, which would not involve this project; however, that can all be cleaned up.

**HOGG** Mr. Hogg asked when they could officially record.

**RAUSCH** Solicitor Rausch stated it would be up to the Board. The revision doesn't directly affect those two lots.

**HOLMAN** Mr. Holman added that it wouldn't affect the abandonment of the road or anything else.

**RAUSCH** Solicitor Rausch stated that they could go ahead and record.

**F. LD-05-17 – CHR Corp/Rutters**

**RAO** Mr. Rao had provided background information in his June 22, 2006 memorandum. He reported that the property currently contains a vacant industrial building, and the applicant proposes a convenience store with fuel dispensing. The location is at the intersection of North Hills Road and Industrial Highway. He presented the Preliminary Land Development Plan, 05-17 and provided a PowerPoint presentation showing the location, different zoning districts, aerial view of the existing building, view south along North Hills Road, debris, existing conditions/factory, green space, deed restrictions and information regarding the court agreement. He showed the tract for development, sidewalk, 40-inch high berm wall. He pointed out that the cul-de-sac had been changed and is designated as an access drive, which will bring traffic in from Industrial and North Hills Road intersection. Another modification concerned truck parking; the plan shows six parking spaces with two green space islands bordering for additional parking; therefore, the minimum requirements for parking are met for the site. All expansion, roadway and sidewalks will be expanded on the western side. He provided a view of the proposed landscape plan, and the lighting plan. Lane configurations were provided for a right turn, straight through lane and an additional straight through southbound lane with a left at the traffic light.

The waivers and conditions at this time include:

- Access Drive – Ordinance stipulates 35 feet width, but the developer is asking for 40 feet and an additional five-foot width increase; if it ever becomes a Township road in the future it will match the Industrial Highway on this portion of 40 feet an extra 5 feet beyond the Ordinance is one of the outstanding waivers.
- HOP has been submitted to PennDot on June 9, but at this time is still outstanding.
- Township has made a note in our Letter of Awareness to PennDot the preference for right in, right-out at the southern access.
- Letter of Adequacy from the York County Conservation District for the E&S plan was received on June 19, 2006.
- Financial security bond or letter of credit is an outstanding condition, but at this time in the Preliminary Plan it is not required.

**SCHENCK** Chairman Schenck asked Mr. Rao to explain what a Preliminary Plan means.

**RAO** Mr. Rao explained that since it is a Preliminary Plan, and presuming that the Board approves the Preliminary Plan, it will go back to the Planning Commission for their review in the July meeting and then from there presuming they approve it, it'll come back to the Board for final approval in August.

- SCHENCK** Chairman Schenck asked Mr. Rao to clarify whether changes can be made or not.
- RAO** Mr. Rao responded that changes and tweaks could be done.
- SCHENCK** Chairman Schenck indicated that some work could begin with a Preliminary approval.
- LUCIANI** Mr. Luciani responded that grading could be done at the side, road improvements if they have the HOP, but no building could begin.
- GURRERI** Mr. Gurreri indicated his understanding that the only decision to be made during this meeting was regarding the 35 to 40 foot.
- HOLMAN** Mr. Holman responded that the only waiver is the 35 to 40 foot regarding this plan for Preliminary approval. He explained additional items for discussion; however, the main waiver was for the widening of the road by five feet.
- BISHOP** Mr. Bishop commented his understanding that the staff concept about the southern entrance way being right-in, right-out, and he assumed that it would be preferable that more people would use the other entrance which is a full turning to the extension of Industrial Highway.
- RAO** Mr. Rao responded that he was correct. They want to bring motorists up to the signalized intersection where it's safer.
- THOMAS** Mr. Eric Thomas, representative of CHR Corporation, stated that PennDot issued a study that was approved, which did allow the left turns into the site. There was a revised letter from the Township that was included in the submission that basically said that the Township would prefer it to be right-in, right-out. He wanted to point out that PennDot had approved the study allowing the left turns.
- SCHENCK** Chairman Schenck asked whether they had received their Permit.
- THOMAS** Mr. Thomas responded that they had not; the Traffic Impact Study was done.
- SCHENCK** Chairman Schenck asked whether the permit generally would follow what the study revealed.
- THOMAS** Mr. Thomas responded that typically it does.
- BISHOP** Mr. Bishop questioned what the impact might be if the Board approved the Preliminary Plan conditioned on right-in, right-out. It was clear what the Township would prefer but it does not necessarily decide the issue.

- RAUSCH** Solicitor Rausch stated that if the Board put a condition on the plan, and the applicant does not appeal it, they would have to accept it or appeal it within a 30-day period. He asked whether the Preliminary Plan being discussed shows the right-in, right out.
- LUCIANI** Mr. Luciani responded that it does not show the right-in, right-out. It shows that it allows left turns in. The drawing shows what they are proposing. Even though there is a pork chop there, a motorist could come up North Hills Road and turn left into the site.
- RAUSCH** Solicitor Rausch indicated he thought he had seen something that indicated right-in, right-out.
- LUCIANI** Mr. Luciani responded that it was the recommendation from the Planning Commission, and it had been discussed at the last meeting by the Board.
- BISHOP** Mr. Bishop stated that it was the condition that staff recommended.
- HOFFMEYER** Attorney William Hoffmeyer asked whether the only thing to be acted upon is the widening of the road.
- SCHENCK** Chairman Schenck responded that the plan was up for a potential approval of the Preliminary Plan.
- HOFFMEYER** Attorney Hoffmeyer addressed several items:
- Widening of the road only on the west side onto the Rutter's property despite PennDot's direction to widen from the center of the road.
  - Demarcation between the industrial zone and the office professional zone as the center of Wallace Street - Court Agreement indicated no construction south of Wallace Street, with the exception of a storm water pond and green space.
  - Parking spaces – If those 7 parking spaces are eliminated, and the parking spaces at the pumps are eliminated, there are only 31 parking spaces and the requirement is 49.
  - Where do the northbound lanes begin - Market Street or Philadelphia Street
  - Interior flow on the site – traffic pattern doesn't make sense.
  - North Hills Road is exit and entrance ramp for I83.
  - Court Order says the Board must consider the plan; it does not indicate it has to be approved unless it meets every requirement of Township Ordinances.
  - Traffic Study – Volume of service Level F.
  - Entrance ramp to 83 might go right through the building by 2016.
- GORDON** Mr. Bernard Gordon suggested for safety to have motorists enter at the traffic light.
- SCHAEFER** Mr. Tom Schaefer, 138 North Keesey Street, stated that Rutter's was obviously trying to move in the right direction. Eliminating the trucks helped mitigate

some seriously dangerous problems, but overall traffic will be a problem. He did not think it would be a safe location. He quoted the Rutter's Mission Statement from the Website. He suggested that Rutter's donate the land to the Township, back off the plan, tear the building down, use it as green space. The development is too large to fit into the space.

**SCHENCK** Chairman Schenck asked for a response to the question of where the left-turn lane will start.

**LUCIANI** Mr. Luciani responded that there is certain geometry that will transition into a new lane. There's a 75 foot minimum which is a function of velocity of the road and what the cue length is. At a minimum the length of the transition into a new lane must be a minimum of 75 feet.

**SCHENCK** Chairman Schenck asked whether there is widening at the area indicated as transition.

**LUCIANI** Mr. Luciani responded that there is not. There is enough room because at that point the pavement width and the right of way in that area is 80 feet. The right of way goes from 80 feet to 60 feet at the barn, which is why the bulk of the widening is being pushed west.

**SCHENCK** Chairman Schenck asked whether it was 80 foot to the south or to the north.

**LUCIANI** Mr. Luciani responded that it is 80 feet to the south. From this property line, that's an 80 foot right of way coming all the way down.

**GURRERI** Mr. Gurreri commented that they have the left-hand turn going in, which the Township would prefer the right in, right out.

**LUCIANI** Mr. Luciani stated that one of the Township's concerns was this left turn lane where motorists could turn left onto Wallace Street. The recommendation by staff was the right-in, right-out which would be safer.

**GURRERI** Mr. Gurreri asked how many cars could stack at the traffic light.

**LUCIANI** Mr. Luciani responded that it would be 240 feet plus, or as many as 10 cars waiting to make a left turn.

**SCHENCK** Chairman Schenck asked about the parking spaces. He was aware that the Township had a different legal opinion on that issue.

**LUCIANI** Mr. Luciani responded that the matter was addressed. The Zoning Officer, prior to Mr. Rao's involvement at other sites on a number of other plans, where parking spaces were counted in those instances, but they met the dimensional requirement. The requirement is a 9 by 18 space. There are 45 degree spaces

with a one-way lane, which is allowed in the Ordinance. The lanes must be 24 feet

**RAUSCH** Solicitor Rausch stated that there is no violation, and his opinion had not changed. It is in compliance with the stipulation.

**DVORYAK** Mr. Dvoryak asked Solicitor Rausch if he was referring to the encroachment or the so-called demarcation line south of that line.

**RAUSCH** Solicitor Rausch responded that he was not referring to an encroachment.

**DVORYAK** Mr. Dvoryak stated for clarification that Solicitor Rausch's opinion of what could be done south of that line has not changed.

**RAUSCH** Mr. Rausch indicated he was correct.

**SCHENCK** Chairman Schenck asked whether there were any further comments or questions. He stated that the Preliminary Plan could potentially come up for approval, and if it were approved it would return back through the Planning Commission and then back to the Board again.

**RAUSCH** Solicitor Rausch stated for clarification one legal point. With a Preliminary Plan approval, a municipality is required to grant final approval in accordance with what was approved on the Preliminary Plan. So if the applicant chooses to change something on the plan, that's one thing, but once the Preliminary Plan is approved, the applicant is entitled to a final approval in accordance with the Preliminary.

**SCHENCK** Chairman Schenck stated that the Board could not force them to change anything.

**HADGINSKE** Mr. Paul Hadginske, 35 North Marshall Street, asked about the cul-de-sac question. He had not seen it on the original court approved drawing. He asked why the Township had originally requested a cul-de-sac.

**RAUSCH** Solicitor Rausch responded that it could potentially become a through street where Industrial Highway would go through.

**HADGINSKE** Mr. Hadginske stated that there had been a lot of discussion at previous meetings about this cul-de-sac and now all of a sudden it's gone.

**SCHENCK** Chairman Schenck responded that he had the same question. He explained that the interpretation is what determines it. If it's a street, then the Township would require a cul-de-sac, which was one of the original interpretations. It has been since interpreted to be an access drive, basically a driveway into Rutters; therefore, no cul-de-sac is required, but what they are offering to do is to build it

so that if it ever does become a road to connect to Spring Garden Township that it's built to the standards and the widths so that it could be adopted as a road.

**HADGINSKE** Mr. Hadginske stated that if the waiver is approved to widen it to 40 feet, the basic approval indicates not having a cul-de-sac because it is now an access drive. He asked who made the determination.

**SCHENCK** Chairman Schenck responded that the decision had been made during staff level discussions with attorneys, developers and every one involved.

**RAUSCH** Solicitor Rausch commented that there had been discussion about the denial of the waiver of the cul-de-sac, since the original plan didn't show it, so the question becomes how to address that point.

**HADGINSKE** Mr. Hadginske posed a number of other comments for clarification summarized as follows:  
Fire trucks on site – Emergency vehicles can navigate the site.  
Truck parking was removed.  
Widening takes place on the west side of North Hills.  
Building on to green space – Within the right of way.  
Traffic studies – Left turns from Industrial to N. Hills – 7 minutes.  
New traffic pattern – Signal retiming will improve.  
Traffic study of intersections – Industrial and Wallace.  
Nothing studied at Market and N. Hills – Agreed by PennDot  
Market Street has adequate storage for cuing.  
Big volume of traffic backs up on North Hills.

**FERNANDEZ** Mr. David Fernandez, 1843 Wallace Street, stated that it was suggested that the store would be open all night. He asked whether that could be verified.

**SCHENCK** Chairman Schenck responded that their hours of operation are not within the Township's control, but it could be discussed.

**THOMAS** Mr. Thomas responded that it will be open 24 hours a day.

**ARIGO** Mr. Tom Arigo, 136 North Rockburn Street, asked whether trucks will be permitted there. One or two trucks will congest the area so much more.

**SCHENCK** Chairman Schenck stated that the Township's position is not to have a left turn at that southern exit.

**ARIGO** Mr. Arigo noted that with the increase from 35 to 40 feet, trucks could use that extra five feet for parking.

**LUCIANI** Mr. Luciani responded that it will be curbed in a portion of the travel way.

- ARIGO** Mr. Arigo commented that there will be trucks stopping at Rutter's and they will be blocking half of those parking places.
- SCHENCK** Chairman Schenck indicated he could not know what the trucks will do.
- ARIGO** Mr. Arigo thought it should be considered.
- BUBB** Mrs. Arlene Bubb, 1753 East Wallace Street, commented on the fact that trains come through there and hold up traffic out onto Market Street, etc. She didn't know how North Hills Road could handle any more traffic. She had been one of the picketers standing there on a Friday afternoon and could not believe the traffic with huge trucks constantly going through there. She noted that there had not been any recent problems with the kids in those buildings. She wondered whether that would be considered a historic area. She said she would be very sorry to see the store go in, and there's nothing the residents can do. They had done a lot of work, and a lot of people had come to try to stop it. She liked the Rutter's store, but she didn't think it was necessary at that location.
- GURRERI** Mr. Gurreri commented on Mrs. Bubb's statement. The residents had done a lot of work, and the plan had changed several times because the residents attended the meetings and made it a much better plan. If PennDot approves the HOP, the Township can do nothing about it.
- BUBB** Mrs. Bubb indicated that she'd like to know who did the traffic study and whether they were there at midnight rather than on a Friday afternoon during rush hour.
- SCHENCK** Chairman Schenck stated that the challenge this Board has is balancing out the laws and the rights of everybody involved. No plan can be denied because Board members don't like them. There is a set of laws to follow. They can be varied slightly as discussed during the last meeting. The proposal does ask for a few minor variances. The Township's position is to see that southern exit be a right-in, right-out only, and that request was made to the state which controls that access point.
- BISHOP** Mr. Bishop questioned Solicitor Rausch with regard to making the southern access right-in, right-out a condition of the plan. His concern was if the Board makes that a condition of the plan, it wouldn't matter what PennDot decided; it's a condition and Rutter's would not have plan approval unless that condition is met.
- RAUSCH** Solicitor Rausch responded that Mr. Bishop was correct. PennDot has jurisdiction over North Hills Road. The Springettsbury Board could not take away that jurisdiction from the state.
- SCHENCK** Chairman Schenck added the point just to clarify that ultimately the Township Board would not prevail in that instance. He indicated he would be in favor of

putting it in the plan. Perhaps the Board's strong favor toward the right-in, right-out at the southern access would influence PennDot to reconsider.

**MR. GURRERI MOVED WITH REFERENCE TO PRELIMINARY PLAN LD-05-17, CHR CORP (RUTTER'S FARM STORE NO. 11), TO APPROVE THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §-289-32.1.1 - ACCESS DRIVE TO THE MAXIMUM WIDTH OF 35 FEET; DEVELOPER REQUESTS DRIVE TO HAVE 40 FOOT WIDTH.**

**MR. GURRERI MOVED, WITH REFERENCE TO PRELIMINARY PLAN LD-05-17, CHR CORP. (RUTTER'S FARM STORE NO. 11), TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **HIGHWAY OCCUPANCY PERMIT TO BE GRANTED FROM PENNDOT;**
- **REVISED PLANS WITH RIGHT TURN IN/RIGHT TURN OUT AT SOUTHERN ACCESS INTO SITE;**
- **REVISED TRAFFIC STUDY FOR PROPOSED TRAFFIC PATTERNS TO BE REVIEWED BY THE TOWNSHIP ENGINEER;**
- **LETTER OF ADEQUACY FROM CONSERVATION DISTRICT FOR E&S PLANS;**
- **SURETY BOND, ESCROW ACCOUNT, AND LETTER OF CREDIT BE SECURED FOR PROPOSED PROJECT;**
- **OFF STREET PARKING LOTS SHALL NOT PROJECT INTO REQUIRED YARD SPACES TO BE DISCUSSED.**

**MR. BISHOP WAS SECOND.**

**BISHOP** Mr. Bishop asked for clarification on the wording of the waiver and the 35 to 40 feet. He understood that the waiver would be to allow a 40-foot width.

**HOLMAN** Mr. Holman responded that Mr. Bishop was correct. It is to allow the 40-foot width, which will match up to the other side which will make for a safer access.

**MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATIONS FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported reading a newspaper article regarding Don Bishop. He congratulated Mr. Bishop on a nice article. In addition, he reported he had been attending the summer concerts, and Joey D and the Starlights were excellent. He recommended attendance at the concerts. Mr. Gurreri reported that someone mentioned the Township flags look tattered. The resident gave Mr. Gurreri an Etiquette on Flags from Congressman Platts. Mr. Gurreri was aware that the flags are changed every three months.

**HOLMAN** Mr. Holman stated that the flags are normally changed about once a month, but if a storm comes in and tears the flags, they are replaced. Mr. Holman stated that another check of the flags will be made prior to the July 4<sup>th</sup> holiday.

- SCHENCK** Chairman Schenck commented in conjunction with the Comprehensive Plan discussion earlier this date, on Eastern Boulevard across the street from the plan approved tonight, there are existing townhouses or condos. He had noticed that late at night and early in the morning Eastern Boulevard is parked full with cars. He does not mind that people park on public streets, but he asked whether the Ordinance covers the fact that in a townhouse environment there are often three or four cars. He thought it seemed like a lot of overflow parking, but added it was not a complaint and not referencing that project at all; just looking ahead.
- LUCIANI** Mr. Luciani noted that the current Ordinance required two parking spaces per dwelling unit in residential zones. He added that it might not be enough for the typical single family residence.
- SCHENCK** Chairman Schenck commented that the Ordinance might be outdated. He was not in favor of more parking because of the impervious, but on the other hand, an investigation at this time would find that it would be parked all the way up Eastern Boulevard. Fortunately, the road was widened so no cars are in the cartway.
- BISHOP** Mr. Bishop stated that he had been requested by the Springettsbury Business Association to invite the members of the Board of Supervisors to a picnic that will be held on Sunday evening, August 13<sup>th</sup> in Pavilion #2 of Springettsbury Park at five o'clock. The date is the last Sunday concert of the year in the park.
- GURRERI** Mr. Gurreri reported that C. S. Davidson, Inc. confirmed the information concerning the welds at the prison. He requested that a paragraph from the letter received from C. S. Davidson be incorporated into the minutes. It follows:
- “While on site, an inspector from another firm noted that non-low hydrogen welding rods were being used for the connection of steel bar roof joists in Sections A and B of the building. Welds made with these rods were single pass, 1/8” fillet welds; these welds are not considered high-stress welds and will have adequate capacity to carry the load for which they were designed. The American Welding Society (AWS) Structural Welding Code notes that low hydrogen rods should be utilized for welds to ASTM A881 Grade 50 Steel. In this case, it is my professional opinion that the resulting welds are acceptable. This opinion is also shared by C. S. Davidson’s AWS Certified Weld Inspector, Derek Kanuck.” Signed by Joshua M. Carncy, P.E., Structural Department Manager – Buildings, C. S. Davidson, Inc.*

**9. SOLICITOR’S REPORT:**

- RAUSCH** Solicitor Rausch requested that the Board authorize the advertisement of the Ordinance to Abandon the section of Stone Ridge Road to re-align Cinema Drive. This will assist in connection with getting everything finalized with the Market Street Commons Plan. An additional Public Hearing will be necessary for the July 27<sup>th</sup> meeting, and letters will be sent to the affected property owners.

- SCHENCK** Chairman Schenck asked whether the deed/legal description had been cleaned up so that the resident still owns the piece of land.
- RAUSCH** Solicitor Rausch responded that the legal description had been cleaned up. Originally Stone Ridge Road was claimed to be 50 feet on the plan and then it was reduced to 33 feet, so only 33 feet will be abandoned.
- HOLMAN** Mr. Holman stated that the 33 feet would split between the lady who owns the property, and Mr. Pasch who owns his share of the property, 50/50.
- RAUSCH** Solicitor Rausch confirmed that there would be no affect to her property.
- SCHENCK** Chairman Schenck commented that it was what he wanted to hear, although her use was affected.

**10. MANAGER'S REPORT:**

- HOLMAN** Mr. Holman reported that he had provided his Manager's Report, along with a supplemental report, along with the letter from C. S. Davidson and had nothing further to add to the report this evening.
- SCHENCK** Chairman Schenck asked whether Mr. Holman was expecting any action on the issue of adding a Deputy Tax Collector.
- HOLMAN** Mr. Holman responded that he was not; he simply wanted the Board to be aware of it. He will review the matter with the Solicitor first.
- GURRERI** Mr. Gurreri thanked Mr. Holman for the report of the weeds at the prison; he appreciated it. He mentioned that by the car wash, the weeds were taller than Mr. Gurreri, so they were at least four foot. They had been cut down, and he appreciated that as well.
- HOLMAN** Mr. Holman added that the Township cut them down, but the property owner will get a bill.

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

**A. Resolution No. 06-54 – Recognition of Eagle Scout David A. Buerger**

- SCHENCK** Chairman Schenck thanked Mr. Holman for attending the recognition ceremony. He had hoped to go and couldn't.
- HOLMAN** Mr. Holman responded that Mr. Buerger and his family thanked the Township and added that he had a copy of his Eagle Scout brochure for Chairman Schenck.

**MR. GURRERI MOVED TO ADOPT RESOLUTION NO. 06-54 – RECOGNITION OF EAGLE SCOUT DAVID A. BUERGER. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-55 – Adoption of Springettsbury Township Comprehensive Plan.**

**SCHENCK** Chairman Schenck stated that he was personally somewhat surprised there would be a Public Hearing and Adoption the same night, but on the other hand, he had some comfort in the fact that those who testified indicated that resident comments had been rolling in through the process and by now everyone was well aware of the plan and are comfortable with it.

**HOLMAN** Mr. Holman commented that it had been a two-year process and he stated it was one of the most thorough plans in which he had been involved.

**SCHENCK** Chairman Schenck stated that it might be a compliment to the consultant in comparison with the previous plan.

**MR. GURRERI TO ADOPT RESOLUTION NO. 06-55 – ADOPTION OF SPRINGETTSBURY TOWNSHIP COMPREHENSIVE PLAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-56 – Authorize Acceptance of Conditions for HOP Permit for Offsite Improvements for York Town Center.**

**MR. GURRERI MOVED TO ADOPT RESOLUTION NO. 06-56 – AUTHORIZE ACCEPTANCE OF CONDITIONS FOR HOP PERMIT FOR OFFSITE IMPROVEMENTS FOR YORK TOWN CENTER. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – May 25, 2006**

**MR. DVORYAK MOVED TO APPROVE MINUTES FROM THE BOARD OF SUPERVISORS MEETING OF MAY 25, 2006. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Acknowledge Receipt of May 31, 2006 Treasurer’s Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF MAY 31, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise Ordinance for Parking Restrictions on Hammond Road, Green Ridge and South Hill.**

**SCHENCK** Chairman Schenck noted that the Ordinance was consistent with a Petition submitted by the residents.

**HOLMAN** Mr. Holman indicated that parking would be restricted from 6:30 a.m. to 8:30 a.m. while school is in session Monday through Friday in the designated areas. The Central School officials are in complete agreement.

**MR. BISHOP MOVED FOR AUTHORIZATION TO ADVERTISE THE ORDINANCE FOR PARKING RESTRICTIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Presentation of 2005 Audit Report – Sager, Swisher and Company, LLP**

Action on item C. was taken earlier during the meeting.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 9:20 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 25, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 25, 2006, at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Dennis Crabill, Environmental Engineer  
Harish Rao, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Services  
Andrew Stern, Interim Fire Chief  
David Eshbach, Police Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri thanked the attendees for coming to the meeting and expressed hoped each would have a safe Memorial Day Weekend. He asked for prayer for the men and women in the armed services.

**B. Oath of Office – Aaron E. Eckert, Temporary Full-Time Fire Fighter**

**SCHENCK** Chairman Schenck noted that the Oath of Office would be held until the June 22<sup>nd</sup> meeting due to the fact that Mr. Eckert was attending training classes.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck reported that there were no Executive Sessions held prior to the meeting, and none were scheduled for after this meeting.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor for citizen comments. He requested that each person use the microphone and state their name and address for the record. He indicated that one item, which had been previously advertised in the newsletter concerning a Public Hearing for the Comprehensive Plan, had been postponed.

**HOLMAN** Mr. Holman stated that the initial Agenda had included the Public Hearing regarding the Comp Plan. However, the County indicated the notification had not been received on time. The date was moved to June 22<sup>nd</sup> in order to make sure that all notification requirements had been met.

**BENSINGER** Ms. Mitzi Bensinger, 3021 Trout Run Road, stated that she was aware of the change in plans for the Comp Plan Public Hearing. She complimented the Board on the fine job that they had been doing. She indicated she would attend the June meeting with some thoughts for the Board. She understood that the Supervisors would make a final decision on the Comp Plan.

Additionally Ms. Bensinger noted that she had been a 33 year resident of Trout Run Road and the Lower Glades area. She stated that the residents had been experiencing tremendous odor problems and they would appreciate the Township looking into any potential solution to improve or remove the odors.

**SNOOK** Mr. Alan Snook of 3341 Lower Glades Road, a property located behind the waste water treatment plant, commented on the odor problem as well. He noted that he had communicated with the waste Treatment plant personnel, who had been very receptive and cordial to work with in the past. Mr. Snook indicated that the past year had seemed to be more of an issue with regard to the odor. He was aware that in previous years it had been more odorous in the winter months. He wondered whether there might be more long-term solutions to explore. He commented that his daughter, now a student at Central High School, noted that the odor was very noticeable at the school every morning. He requested that the board review the matter and offered to assist if he could.

**SCHENCK** Chairman Schenck thanked him for his comments. He asked Mr. Hodgkinson whether he would be presenting information regarding the issue.

**HODGKINSON** Mr. Hodgkinson responded that he could provide information that was presented in the Manager's report.

**SCHENCK** Chairman Schenck requested Mr. Hodgkinson respond from a location where everyone could hear. He stated that the comments were valid, and during a previous meeting there was discussion concerning some seasonal activity at the plant.

**HODGKINSON** Mr. Hodgkinson responded that most of the odors coming from the treatment plant have to do with composting, which generally is done during the winter months. This year they had composed significantly less than before and because of that fact, he was somewhat baffled as to understanding the source of the odor.

**GURRERI** Mr. Gurreri recalled that several years ago some reported odors actually came from another source.

**HODGKINSON** Mr. Hodgkinson responded that from time to time the odor would be coming from the paper mill.

**GURRERI** Mr. Gurreri wondered whether the odor could be coming from the York City plant.

**HODGKINSON** Mr. Hodgkinson reiterated that they had done no composting since early March, well over a month ago. He had looked at some options as far as eliminating composting, which is the odor source.

- Quick fix – Truck the sludge to the landfill.
- Build more containment areas for the sludge.
- Build a building around the compost facility - \$15 million investment and most expensive.

Mr. Hodgkinson provided some additional facts:

- Agricultural utilization (sludge bio-solids) costs \$17.00 a wet ton. With time and materials approximately 15,000 wet tons each year are generated.
- Composting is approximately 25% of total production and costs about \$28.00 a wet ton.
- Modern landfill is typically \$43.00 a wet ton (a 45% annual increase).

If the Township would have transported compost to the landfill additional operating costs would be as follows:

- 2001 - \$104,000
- 2002 - \$53,000
- 2003 - \$132,700
- 2004 - \$54,500
- 2005 - \$47,000

Mr. Hodgkinson recommended that unless he received notice of odors, he really would not know there's a problem as he is so accustomed to the smell. There are not the number of complaint calls that one would think, which he related to the large buffer. There is an odor system in place that sprays a neutralizing agent into the air. During February there had been some difficulty with the pump and incorrect spare parts. The system was down for two weeks. Based on his not receiving any phone calls, his recommendation had been to continue as in the past due to the cost increases. The quickest option would be to truck the compost to the landfill.

**SCHENCK**

Chairman Schenck commented that Mr. Hodgkinson's experience indicates that the composting operation was the worst offender; however, complaints are received when no composting is being done. He wondered whether there was an inherent odor that comes and goes.

**HODGKINSON**

Mr. Hodgkinson stated that sludge digesters have an odor but generally don't have that odor at this time of year. Since the centrifuges had been added, there was better control. That particular odor is distinctive and offensive. The odor that travels the farthest distance is the compost. In the winter there will be plumes of steam toward the back of the treatment facility coming off the aeration tanks. Neutralized chemicals are sprayed into it; however, it is over a two-acre area. It has not and will not eliminate the odor. The compost piles, when up to full temperature are over 150 degrees.

**SCHENCK**

Chairman Schenck asked whether the residents had experienced anything different as far as the time of year.

**SNOOK**

Mr. Snook commented that when the neutralized system first began, it had made a serious impact and an immediate stop to the smell. However, in the recent months he didn't think it had been in operation.

**HODGKINSON**

Mr. Hodgkinson stated that it is obvious when it is on. It is on a timer; chemicals aren't cheap at \$250 a gallon. He tries not to waste it, but he's not reluctant to turn it on either. The timer calls for it to be on from 6 p.m. until 8 a.m. During the winter, since it is a water-based system, there are problems with the formation of large icicles.

**SNOOK**

Mr. Snook indicated that he had made that assumption and he wanted to attend the meeting to express his opinions. He added that if the residents were to call the Waste Treatment plant every time they had an odor there would be many calls on a lot of days. However, it seemed to be continually getting worse, and the problem ultimately would have to be solved.

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- BENSINGER** Ms. Bensinger echoed Mr. Snook's comment concerning the phone call situations. She didn't think Mr. Hodgkinson would want the residents calling every day. She thought that residents had given up trying to do something about it and that was the reason the Township didn't hear from people on a daily basis. The odor is there, but people had just accepted it. They don't have the time during the day to make phone calls.
- ANDERSON** Mr. Rob Anderson, 2812 Druck Valley Road, reported that he only smelled it during the winter when the composting is done. He asked how many customers are being served.
- SCHENCK** Chairman Schenck responded that cost per user is some of the solution. It's not as bad as one would think.
- HODGKINSON** Mr. Hodgkinson stated that they estimate a population of 100,000.
- SCHENCK** Chairman Schenck added that the plant does not serve just Springettsbury, and as a result the number of users is broadly based and the costs are spread out.
- SNYDER** Mr. Jeff Snyder, 2715 Deininger Road stated that he had an interest in the Codorus Creek Valley for 25 plus years. He had farmed where the Central School now stands. He currently owns a farm in East Manchester Township adjacent to the creek right across from the plant. His son lives in the house at that location. He explained that there are times when inside the house it smelled like someone flushed the toilet and it overflowed in the house. He had been on the Township Sewer Authority in the early and mid-90's and had been complaining off and on about it for all those years. He knew the five or six years ago the Township spent a lot of money and put in some new systems which had improved the odor. He noted that there are a number of users. The alternate fixes which would be expensive could be spread out over the other municipalities plus Springettsbury. Transporting the compost to the landfill might be costly but would be a nominal charge per quarter for all the other people using the system. Otherwise, the water system should be run more frequently at \$250 a gallon and spread that out.
- SCHENCK** Chairman Schenck thanked the residents for coming forward. He indicated that the board always appreciated hearing the resident's point of view, and it does make a difference.

**4. ENGINEERING REPORTS:**

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

**CRABILL** Dennis Crabill of Buchart Horn introduced himself representing Mike Schober. He thanked Mr. Hodgkinson for fielding the Waste Treatment plant questions. He reported that the contractor expected to be substantially complete by the first week of June for the Eden Road Interceptor project; the restoration remains. Three contractors have ordered bid documents for the Pistol Range Improvement project. There are a number of others considering it.

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

**LUCIANI** Mr. Luciani reported that there are still some clearances from adjoining property owners needed prior to beginning the work on Sheridan Road. Charter Homes only has an option to purchase the Carter property. However, he had seen Bill Carter, who had indicated he would sign the agreement. Mr. Luciani and Mr. Rao met with the developer, Terry Fox, who owned the land that was sold to S&A Homes. He indicated he would sign it and return it within the next few days. When these last few documents are in place, the construction will begin. Regarding Northern Way Improvements, Concord Road is continuing to move along. They had met with the owners of Sam's Club, who indicated that they do not want the driveway closed on Northern Way, but they have about four driveways on Northern Way now, so Mr. Luciani didn't consider it a big issue. They will set up a meeting with THF to smooth provide that solution. There will be a signal placed at Northern Way and Industrial Highway, which will require a three-lane configuration; one in, a left turn out and a straight through out. In order to have all of the legs of the signal work, that will be made a two-lane configuration – one in and one out. He will be meeting with the owners next week and will report back to the board. In addition, they had met with the Ratters groups and provided the board with a revised plan. He indicated he would be able to respond to comments or questions.

**SCHENCK** Chairman Schenck asked why the cul-de-sac was eliminated after the board denied their waiver request for the cul-de-sac.

**LUCIANI** Mr. Luciani responded that they met with staff and Solicitor Rausch and they indicated they wanted to call in an access drive as opposed to a street. Solicitor Rausch had provided a legal interpretation that it could be an access drive, and it would not require a paved turn around or the right-of-way that had been initially requested.

**GURRERI** Mr. Gurreri asked whether fire trucks could be turned around on the site.

**HOLMAN** Mr. Holman responded that the fire trucks can turn around and there is plenty of room to maneuver. One of the notes was that the truck parking had been removed.

- DVORYAK** Mr. Dvoryak noted that there would be no elimination of trucks on the site simply by changing what we're calling that street.
- LUCIANI** Mr. Luciani responded that instead of that being a street by our definition, it would be an access drive, and it would not be a public street.
- HOLMAN** Mr. Holman indicated that he had not planned that the board would review the plan; however, he had the legal opinions and documentation on all this to be forwarded to the board with part of the full plan when it is submitted for the board's review.
- RAUSCH** Solicitor Rausch indicated that it was the Township's request to have the cul-de-sac there, and if they can't put it in there, they can't put it in there.
- DVORYAK** Mr. Dvoryak noted that it was his impression that the cul-de-sac was a requirement.
- HOLMAN** Mr. Holman commented that it was to provide the trucks the ability to come out of there without actually going on the site.
- RAUSCH** Solicitor Rausch reported that it had been set up that way because the eventuality might be that Industrial Highway would be extended. But they're going to be building that access drive, in fact, they're going to have to probably come back for some additional waivers, because the access drive is only allowed to be 35 feet in maximum width. But they're going to build it to public road width standards, so that eventually if that road ever goes through it's ready to go. But right now all it does is go into the Rutters which is not a street.
- GURRERI** Mr. Gurreri noted that without the cul-de-sac, it would discourage trucks from going in there.
- RAUSCH** Solicitor Rausch indicated he did not know whether Rutter's was going to prohibit trucks from going into the site or not.
- HOLMAN** Mr. Holman stated that his understanding was that they are moving the truck parking in the plan.
- SCHENCK** Chairman Schenck stated his concern that they would come to the June meeting and expect action.
- RAUSCH** Solicitor Rausch indicated that the Township has a waiver until August 1, 2006.
- BISHOP** Mr. Bishop noted that would actually be the July meeting.

**SCHENCK** Chairman Schenck commented that when there are items that potentially could get to the eleventh hour when they have invested a lot of work in their plan and Township staff has invested a lot of work reviewing it, it would be a shame to have something thrown at the Board for a decision. He suggested that if there was any way to facilitate a dialog that that does not occur, he would encourage that.

**RAO** Mr. Rao stated that the engineers will be attending the Tuesday staff meeting to show sketches.

**SCHENCK** Chairman Schenck stated, with all due respect to the staff, a lot of the things that occurred during the last meeting were significant differences from what was presented. He hoped that some decision points could be made along the way to allow for a smoother process.

**HOLMAN** Mr. Holman noted that what would be submitted will be in accordance with the waivers that were either denied or approved by the Board. Both Mr. Rao and Solicitor Rausch will review any questions that are raised.

**SCHENCK** Chairman Schenck stated bluntly that he did not understand when a recommendation comes in that indicates the need for a cul-de-sac, and just because of a change in the name from a road to an access drive, there is no need for a cul-de-sac. It seemed like two conflicting recommendations.

**DVORYAK** Mr. Dvoryak agreed with Chairman Schenck but wondered why that had not been anticipated.

**LUCIANI** Mr. Luciani indicated that he thought it was a public street which could not end with a dead end.

**SCHENCK** Chairman Schenck indicated it was his own personal opinion, not the opinion of the Board.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of May 25, 2006**

**MR. GURRERI MOVED TO APPROVE THE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MAY 25, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for review.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-05-17 – Rutter’s Farm Store #11 – Time Extension from 6/11/06 to 8/01/06**
- B. SD-06-03 – Pleasant Valley Road Subdivision – Time Extension from 6/11/06 to 9/11/06.**
- C. LD-06-03 – Chili’s Restaurant – Time Extension from 6/22/06 to 9/22/06.**
- D. SD-06-04 – Yorkshire Dental – Time Extension from 6/22/06 to 9/22/06.**
- E. SD-06-05 – Shaffer/Keagy Subdivision – Time Extension from 6/22/06 to 9/22/06**
- F. LD-06-06 – Yorkshire Dental – Time Extension from 6/22/06 to 9/22/06.**

**MR. GURRERI MOVED TO APPROVE TIME EXTENSIONS A THROUGH F AS LISTED ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SD-06-02 – Stony Brook Gardens Subdivision – Action (7/28/06)**

**STAHLMAN** Mr. Jerry Stahlman reported that the plan involved Lots 6 and 7 of the previous subdivision of AMC, a reverse subdivision that combined two lots so that a proposed land development plan which will be coming to the Board at a later date can be constructed on the site. The plan has been recommended by the staff and has received recommendation of approval by the Planning Commission.

**RAO** Mr. Rao provided a PowerPoint presentation of the plan showing the site location, zones, an aerial view, the proposed complex and the plan submitted for Lots 6 and 7, landscaping. He explained that the proposed complex will include an 84-unit congregate living for age-restricted individuals. The two lots, 6 and 7, will be combined in order for the complex to be constructed.

Mr. Rao noted the current conditions on the plan, which included payment of all outstanding engineering fees prior to recording.

**RAUSCH** Solicitor Rausch stated that should apply to the underlying Market Street Commons development. The underlying development plan should be finalized; however, Lot 5 was revised, and the Township is still waiting for the abandonment of Stony Brook Road.

**STAHLMAN** Mr. Stahlman responded that the abandonment had not been finalized; however, the land was.

**RAUSCH** Solicitor Rausch stated it had never been recorded. The Township’s position is that there are engineering fees still outstanding on the original plan, and the revision to the original plan had not been recorded because everything is being held up until those fees are paid, and now there is Lot 6 which is to be improved

- BISHOP** Mr. Bishop commented that there are also revisions to the original plan that had been approved.
- HOLMAN** Mr. Holman responded that the revision to the original plan dealt with the change of the right of way from 55 to 33 feet, a plan which must come before the Board for approval so that the correct final plan can be filed. He did not think it was approved because the Ordinance was not finalized to abandon the road, and that's what caused that hold up on that whole thing, so there is some documentation and engineering fees, which has it on hold.
- RAO** Mr. Rao indicated that condition No. 2, preliminary plan drawn on linen on Mylar, had been met. The last condition is to provide financial securities in an amount approved by the Township Engineer. Mr. Stahlman had submitted a security amount to First Capital.
- STAHLMAN** Mr. Stahlman indicated that the amount was submitted. All of the improvements entered for these lots have sanitary water and sewer. The land development plan has over \$300,000 for public improvement amount which consists of lights, an intense landscaping, which was part of the congregate living facility grievance settlement, the landscaping throughout the tract and along Cinema, sidewalks, and some storm drains facilities. So obviously that bond would be before the Board as part of the land development plan.
- SCHENCK** Chairman Schenck indicated he was very pleased with how the plan was coming together. He wondered about the well drilling activity.
- STAHLMAN** Mr. Stahlman stated that they have to get some tax approval by the Commonwealth for the type of congregate living facility intended. They will use geo-thermal heat for tax credit, and you know, there are incentives by the federal government and state to do all kinds of energy savings. The well drilling was done to establish whether there was adequate ground water available to do the geo-thermal heating system, which Mr. Stahlman understood was there. He thought it was a nice little item that the energy would be taken from the ground water to heat this facility.
- BISHOP** Mr. Bishop understood that the recommendation would be to approve the plan contingent upon approval and recording of the underlying Market Street Commons land development plan.
- RAUSCH** Solicitor Rausch stated that he thought it was a good condition because it all should be done. The underlying plan should be completed so that portion is finalized and then all the other parcels can be developed.

**STAHLMAN** Mr. Stahlman indicated they would appreciate the Board's recommendation to move along conditionally because it was hoped to start construction in July and August, and that development plan must be acted upon by the Board.

**BISHOP** Mr. Bishop commented that the applicant would have to bring it before the Board for action.

**HOLMAN** Mr. Holman stated he will review the whole project with the Solicitor.

**MR. BISHOP MOVED WITH RESPECT TO SUBDIVISION 06-02, STONY BROOK GARDENS, LOTS 6 AND 7 OF THE MARKET STREET COMMONS DEVELOPMENT TO APPROVE THE PLAN WITH THE FOLLOWING CONDITIONS:**

- **CONDITIONED UPON APPROVAL AND RECORDING OF UNDERLYING MARKET STREET COMMONS LAND DEVELOPMENT PLAN;**
- **CONDITIONED ON ALL OUTSTANDING ENGINEERING FEES BEING PAID FOR THIS PROJECT AND FOR THE UNDERLYING MARKET STREET COMMONS PLAN;**
- **CONDITIONED UPON PROVIDING FINANCIAL SECURITY FOR PUBLIC IMPROVEMENTS IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** **Nefra**  
Mr. Gurreri reported that he attended the ribbon cutting for Nefra's addition. He indicated the improvements are a nice asset to the community.

**SCHENCK** Chairman Schenck thanked Mr. Gurreri for all that he does to attend those types of functions. Mr. Schenck stated that, unfortunately, his work schedule does not always allow him, along with perhaps other Board members, to attend functions of that nature. He appreciated Mr. Gurreri's effort.

**GURRERI** Mr. Gurreri thanked him and stated he felt it was important that someone attended. He noted that there had been some discussion of designating the Manager to do that.

**HOLMAN** Mr. Holman responded that he normally does attend; however, he did not recall receiving an invitation for the Nefra ceremony.

**SCHENCK** Chairman Schenck commented that it had not been a traditional invitation.

**GURRERI** Mr. Gurreri stated it had been his pleasure to go as they are such nice people. He indicated that it is difficult to take the time to go in the middle of a day.

**Prison Welds**

**GURRERI** Mr. Gurreri noted that he had questioned the welds in the prison and the use of material that wasn't compatible with the steel. A written report was to have come to the Board that it was safe, etc. He had not yet received that report.

**HOLMAN** Mr. Holman stated that he had discussed it with the engineer who had promised a report. Mr. Holman indicated he would provide it to Mr. Gurreri by the June meeting. He added that they had inspected the welds and they are safe.

**Edgewood Road Sidewalks**

**BOWMAN** Mr. Bowman asked about the installation of sidewalks on Edgewood Road.

**HOLMAN** Mr. Holman responded that Mr. Rao continued to follow up.

**BOWMAN** Mr. Bowman noted that the work was to be done during the first week of April.

**RAO** Mr. Rao responded that Mr. Bowman was correct, and that the contractor had given him a date two weeks ago, which they had not met.

**Henry's Beverage, Turkey Hill Sidewalk**

**RAO** Mr. Rao stated that he could provide some good news in that some action had taken place on the Henry's Beverage location. Clean up work had begun. In addition, the sidewalks at the Turkey Hill on Market Street had been incorrectly placed at four foot instead of five foot. Mr. Rao is working with Mr. Stahlman and the contractor to get that corrected.

**BISHOP** Mr. Bishop asked whether Occupancy Permits will be withheld until the Edgewood Road sidewalks are completed.

**HOLMAN** Mr. Holman responded affirmatively.

**BISHOP** Mr. Bishop stated that they are building some homes now.

**HOLMAN** Mr. Holman responded that they are and they have been notified of that fact.

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**RAO** Mr. Rao commented that the problem is, if he withdrew Occupancy Permits, Ryan Homes would be affected. The developer is independent of Ryan Homes.

**SCHENCK** Chairman Schenck noted that they likely have a mutual interest.

**GURRERI** Mr. Gurreri wondered how many homes had been occupied.

**HOLMAN** Mr. Holman responded that there are about 15 to 20 occupied homes.

**BISHOP** Mr. Bishop stated that he had received conflicting answers to his Occupancy Permit question.

**HOLMAN** Mr. Holman stated that they would not be released unless the Solicitor determines that they have to be released. Bonding is being held on the job for site improvements and none will be released. There are other actions that could be taken as well.

**LUCIANI** Mr. Luciani noted that he had received one request on that issue. The contractor had called him and requested to put the sidewalk up against the curb, and he told him no, that was not the way it was approved.

**SCHENCK** Chairman Schenck stated that there had been a good reason for that. If a sidewalk were to be placed against the curb, and then snow is plowed, there wouldn't be a sidewalk. It just does not work.

**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 provided a supplemental report with a letter from Penn Waste requesting the Township's renewal of the agreement of the third and final contract extension for the year January 1, 2007 through 12/31/2007. He had provided to the Board a renewal agreement prepared by the Solicitor for the third addendum of the contract. He requested the Board to take action. He had received information on several other contracts which indicated that the numbers for the extension are very good.

**BISHOP** Mr. Bishop agreed that the numbers appear to be very good.

**SCHENCK** Chairman Schenck commented that the item had not necessarily been on the advertised Agenda. However, the deal is very good for the residents.

**BISHOP** Mr. Bishop stated that they had heard from the Recycling Committee numerous times that they think the contract is wonderful and they are very pleased.

**HOLMAN** Mr. Holman added that they had recommended renewal if it was at the same rates.

**SCHENCK** Chairman Schenck noted that there are times when one needs to act while the opportunity is present.

**BISHOP** Mr. Bishop recalled reading where another township had a 40% increase. The extension is a great deal for the residents.

**MR. BISHOP MOVED TO AUTHORIZE EXTENDING THE WASTE CONTRACT FOR THE THIRD AND FINAL YEAR OF THAT CONTRACT AND AUTHORIZE THE APPROPRIATE TOWNSHIP REPRESENTATIVES TO SIGN SAID ADDENDUM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman thanked the Board for their approval.

**BISHOP** Mr. Bishop stated that historically it takes a tremendous amount of time in the Township to go through the process of advertising and determining a new contract. Whatever can be done to begin early should be done toward exploring all the options and do it right.

**HOLMAN** Mr. Holman stated that it should be started in almost the fourth quarter of this year to have a good product to go out to bid by mid-summer and get the bids in, and if there's a question you have time to deal with it.

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

**A. Resolution No. 06-52 – Authorizing Adoption of the Springettsbury Township National Incident Management System (NIMS) Implementation Plan as Amendment to Township Emergency Operations Plan.**

**HOLMAN** Mr. Holman stated that he had been meeting with the Police Chief, Andrew Stern, Emergency Management Coordinator, Solicitor Rausch, and all the directors to develop the NIMS plan. Principally, Mr. Stern developed it based upon the model provided by FEMA. The NIMS plan itself becomes a part of the emergency operations plan, and there are certain timelines and deadlines that we will have to make as part of the review of our that plan. The NIMS plan itself is just a guideline for us to move forward, but it is a requirement that we adopt it, and it is a model plan. Springettsbury Township is the second one in the County to adopt such a plan.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-52 AUTHORIZING THE ADOPTION OF THE SPRINGETTSBURY TOWNSHIP NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) IMPLEMENTATION PLAN AS AMENDMENT TO TOWNSHIP EMERGENCY OPERATIONS PLAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman thanked Mr. Stern for his work on the NIMS plan.

**B. Authorize Execution of Amendment to Shared Services Agreement with PennDOT for Sewer Line and Manhole Adjustments for Mt. Zion Road and North Sherman Street Improvements.**

**HOLMAN** Mr. Holman stated that the amount of the original agreement which was \$4,000 some odd dollars. It had been discovered in doing the improvements on Sherman Street and Mt. Zion that two of the manholes will have to be lifted higher. There will be some risers put into the manholes and one of the sewer lines crossing Sherman Street will have to be lowered in order to protect that line. PennDot is providing 50% of the cost of that. In addition, Mr. Holman had discussed this work with Dr. Estep, Superintendent of Central schools, and they will be providing the other funding. The Township will pay for the work; it's a reimbursement as part of their plan.

**SCHENCK** Chairman Schenck stated that was part of the agreement with the school. They're paying for any improvements.

**HOLMAN** Mr. Holman responded he was correct. They had been doing the utility work. PennDot will cover 50% of the costs of the relocation because it's PennDot work.

**MR. GURRERI MOVED TO AUTHORIZE THE EXECUTION OF AMENDMENT OF SHARED SERVICE AGREEMENT WITH PENNDOT FOR SEWER LINE AND MANHOLE ADJUSTMENTS FOR MT. ZION ROAD AND NORTH SHERMAN STREET IMPROVEMENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Enter into Amended Agreement with Kise Straw and Kolodner for Rewrite of Zoning and SALDO Ordinances.**

**SCHENCK** Chairman Schenck stated that item C would extend the contract with the firm working on the Comp Plan.

**HOLMAN** Mr. Holman responded that it was more an hourly rate adjustment. He had placed a not-to-exceed cost on the work. Kise, Straw and Kolodner had completed the contract work on the Comp Plan; however, additional significant adjustments are necessary to rewrite Ordinances to meet

current requirements, etc. He recommended that the Board act on the matter in order to move forward and do a full revision of the Ordinances. All of this will come to the Board for final approval. He hoped to have it completed within six months.

**SCHENCK** Chairman Schenck stated that the not-to-exceed amount is \$45,350.

**HOLMAN** Mr. Holman added that it will be based on an hourly rate contract. He had reviewed the matter with Attorney McNeal and Mr. Rao.

**BISHOP** Mr. Bishop commented that the consultants on the whole Comp Plan process had done an excellent job.

**HOLMAN** Mr. Holman stated that the Board made an excellent choice, and there were two excellent contenders at the end.

**BISHOP** Mr. Bishop added that one of the reasons for the additional expenditure for the zoning is that they have very firm ideas of how to implement the Comp Plan. It is important to the Township to be sure to go the next step immediately and get the Ordinances constructed in such a way so as to really implement the Comp Plan. Mr. Bishop expressed optimism about their work.

**MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO THE AMENDED AGREEMENT WITH KISE, STRAW AND KOLODNER FOR REWRITING THE ZONING AND SALDO ORDINANCES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Enter into Agreement with Conrad Siegel for Actuarial Study to Value Post-Retirement Medical Benefits under GASB45.**

**HOLMAN** Mr. Holman stated, under the new GASB 45 requirements which will come due at the end of 2007, the Township will need to value and post post-retirement medical benefits. He had requested that the actuary prepare a proposal that can act both as our first actuarial study and review, and then to adopt the GASB 45 a year ahead of schedule. This will be posted to the budget and provide a chance to plan on how to cover this liability in the future. These are the new accounting requirements that the Township must meet, and Conrad Siegel has always done excellent work for the township.

**DVORYAK** Mr. Dvoryak noted that the advantage to doing it now versus the mandated 2008 is in the planning.

**HOLMAN** Mr. Holman responded that he was correct. They may determine to be able to fund some of the future benefits, which will help in the future.

**MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH CONRAD SIEGEL FOR ACTUARIAL STUDY TO VALUE POST-RETIREMENT MEDICAL BENEFITS UNDER GASB 45. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – May 11, 2006**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING MAY 11, 2006 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Authorization to Advertise Ordinance for Re-Adoption and Amendment to Parks and Recreation Areas**

**SCHENCK** Chairman Schenck introduced the item which would state no smoking in the park.

**HOLMAN** Mr. Holman noted that a portion of this will add to the rules that there is no skateboarding, or roller blading, or any of the vehicles on the tennis courts or other courts. It is starting to occur, and that puts a lot of wear on that surface.

**SCHENCK** Chairman Schenck asked whether they were ready to allow dogs to walk in the parks yet.

**GURRERI** Mr. Gurreri thought that was a good idea.

**HOLMAN** Mr. Holman responded that they are still working on that project.

**SCHENCK** Chairman Schenck stated that the Board needed to decide whether to prohibit smoking at events like the concerts and in the children's playground where it becomes an issue.

**GURRERI** Mr. Gurreri stated it was a good idea; however, he suggested that a place should be provided for smokers to smoke. Otherwise, he wondered how it could be enforced.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 25, 2006  
APPROVED**

**BISHOP** Mr. Bishop thought that would exacerbate the enforcement problem. He had an encounter with a smoker at the top of the amphitheater, who insisted he was not in the amphitheater. He brought up the additional concept where Mr. Wendel would encourage people that the purpose of the recreation department is to promote healthy lifestyles.

**BOWMAN** Mr. Bowman asked how it would be handled and whether there would be signs at each entrance.

**HOLMAN** Mr. Holman responded that the signage would change. It would state "Springettsbury Park, a No-Smoking Facility." The language on the signage would change, and it would be posted so it could be seen in all the parks. It would become a self-policing effort.

**MR. BISHOP MOVED TO AUTHORIZE THE ORDINANCE FOR RE-ADOPTION AND AMENDMENT TO THE PARKS AND RECREATION AREA PARKS. MR. BOWMAN WAS SECOND. MR. GURRERI VOTED NO; MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED YES. MOTION CARRIED FOUR/ONE.**

**GURRERI** Mr. Gurreri commented that he was not against smoking in the park and thought there should be a place designated for smokers to smoke.

**B. Acknowledge Receipt of April 30, 2006 Treasurer's Report.**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE APRIL 30, 2006 TREASURER'S REPORT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MAY 11, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 11, 2006 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, Director, Economic and Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director, Human Resources  
Dave Eshbach, Police Chief  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and commented that local government works best when residents attend the meetings. He asked everyone to remember those in the armed services in prayer.

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that there were no Executive Sessions to report.

**3. COMMUNICATION FROM CITIZENS:**

**SCHENCK** Chairman Schenck opened the floor to citizens who wish to comment and requested each one to use the microphone, state name and address for the record in order to become part of the minutes. He indicated that many of the residents were in attendance for the discussion on the Rutter's plan. He requested that those comments be made during that portion of the Agenda.

**Druck Valley Road Auction Barn**

**STUHRE**

Mr. Charles Stuhre, 3680 Trout Run Road, thanked the Board for getting some action on the Druck Valley/Trout Run Road action barn. He stated that it had been pretty nice for about 10 days; however, it had returned to the unacceptable state once again. He stated that the boat was still sitting where it had been, but there were not as many trucks as before.

**Groundhogs**

**TROUT**

Mr. Kip Trout, 1907 Wallace Street, spoke about the groundhog situation in his neighborhood. He expressed concern because of the potential rabies they carry. He asked what plan the Township might have to eradicate the growing problem.

**GURRERI**

Mr. Gurreri responded that the Township had contracted with Roxann Smeltzer for animal control.

**TROUT**

Mr. Trout stated that he had called animal control people and they advised that they could set traps for a price but there was no guarantee the groundhogs won't return. He commented that the tunnels are very large, go under his swimming pool and seem to come from the creek bed.

**HOLMAN**

Mr. Holman responded that the Township could provide traps for the residents as one option, or as a second option the resident could call an animal control specialist. Mr. Holman offered to check with the County and State Wildlife Animal Control for additional options. He asked Mr. Trout to leave his telephone number for a response.

**4. ENGINEERING REPORTS:**

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

**SCHOBER**

Mr. Schober provided several updates to his written report. He stated that the final boring for the Eden Road Interceptor was completed. Pipe will be laid and the contractor should be finished within a few weeks. No major problems had been encountered. Mr. Schober will provide a summary of the BNR Study during a June meeting, which Mr. Holman planned to schedule. The Pistol Range Improvements project will be acted upon later during the Agenda this date. All technical issues had been resolved concerning the Sherman Street Sewer situation. The contractor has the information he needed to keep the project moving forward.

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

**Pleasant Valley Road Traffic Signal**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

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**LUCIANI** Mr. Luciani provided an update on the left-turn arrow for Pleasant Valley/Mt. Zion Road. He provided a low-cost solution using Township workforce for approximately \$6,000 to \$10,000, which would require a permit application from PennDot. He was not certain PennDot would approve it due to the warrant requirement. In addition, it might cause a slight additional delay on Mt. Zion Road. Additional review could determine whether it would be warranted.

**DVORYAK** Mr. Dvoryak asked whether the York Town Center will have any major impact on the intersection.

**LUCIANI** Mr. Luciani responded that it is a closed loop system from Pleasant Valley Road through every intersection to Market Street. School traffic and the Galleria had the greatest impact on the intersection.

**LUCIANI** Mr. Luciani reported that three HOP's are needed from landowners. Mr. Holman became aggressively involved and expected to obtain those HOP's. As soon as those are obtained the contractor will begin.

**SCHENCK** Chairman Schenck asked Mr. Holman whether the item should be included on a future Agenda for a future decision.

**HOLMAN** Mr. Holman responded that he wanted to further review the York Town Center traffic data with Mr. Luciani and would provide a full report at a future meeting. He indicated a concern if it would delay traffic on Mt. Zion Road.

**LUCIANI** Mr. Luciani suggested to provide a brief analysis and send it to PennDot as a way to proceed.

**HOLMAN** Mr. Holman noted that a meeting had been scheduled with PennDot to review the York Town Center. He will provide a full report to the Board.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of May 11, 2006**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MAY 11, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Bids for Police Pistol Range**

**SPRINGETTSBURY TOWNSHIP  
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**SCHENCK** Chairman Schenck indicated that most of the Board members had visited the Pistol Range and viewed the proposed upgrades. He noted that the Township-owned Pistol Range is used not only by Springettsbury Police Department, but also departments from all over York County.

**MR. DVORYAK MOVED TO APPROVE AUTHORIZATION TO ADVERTISE FOR BIDS FOR POLICE PISTOL RANGE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. SD-06-02 – Stony Brook Gardens Lots 6 & 7 – Time Extension (7/28/06)**
- B. LD-06-01 – Stony Brook Gardens Lots 6 & 7 – Time Extension (7/28/06)**
- C. LD-05-21 – York County Substance Abuse Treatment Facility–Time Extension (8/7/06)**
- D. SD-05-13 – Market Street Commons Add-On Lots – Time Extension (8/11/06)**
- E. LD-05-18 – Market Street Commons Add-On Lots – Time Extension (8/11/06)**
- F. LD-06-02 – EBLW, Inc. – Time Extension (9/22/06)**

**SCHENCK** Chairman Schenck questioned item C, LD-05-21, which indicated an additional 30 days from existing date of previous extension. He requested that the specific dates be noted.

**HOLMAN** Mr. Holman noted that the extension is to August 7<sup>th</sup> and was requested by the County because their time frame would have expired before this meeting. This will be a technical approval for their extension to August 7<sup>th</sup> in order to provide for completion of the Developers Agreement.

**SCHENCK** Chairman Schenck wanted to be sure that the minutes reflected that the Time Extension for Land Development 05-21 was through August 7, 2006. He added that it should be stated on the application.

**HOLMAN** Mr. Holman stated that the original date of expiration will be placed on future agendas.

**BISHOP** Mr. Bishop asked whether it would be appropriate to ask that the applicant provide verification in order to confirm any question of deemed approval. He questioned whether the form was filled out appropriately.

**NOLL** Mr. Chuck Noll responded that they will provide verification.

**RAUSCH** Solicitor Rausch added that it will be to the applicant's benefit.

**SCHENCK** Chairman Schenck asked whether the Board desired to act upon items A through F with one motion.

**MR. GURRERI MOVED TO APPROVE SUBDIVISIONS AND LAND DEVELOPMENTS A THROUGH F FOR TIME EXTENSIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. SD-05-07 – York Butterfly, LLC – Re-approval of Final Subdivision Plan**

**HOLMAN** Mr. Holman indicated that there were no changes from the previous approval. The delay in filing the plan was due to the fact that the Developer’s Agreement had not been received. The Agreement, along with the payment due and the per diem, was received, and the date of approval was being reviewed so that the plan can be filed with the County.

**MR. DVORYAK MOVED TO RE-APPROVE FINAL SUBDIVISION PLAN 05-07 YORK BUTTERFLY LLC. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. LD-05-21 – York County Substance Abuse Treatment Center – Action (8/7/06)**

**RAO** Mr. Rao provided background data in a memorandum dated May 11, 2006 which revealed the applicant wished to construct a Substance Abuse Treatment Center Facility; associated parking, stormwater management facilities; truck delivery/dock areas; service drive and Heindel Road improvements. Planning Commission had recommended approval of the plan with several waivers and conditions as documented in the memorandum. He provided a PowerPoint presentation showing various factors about the Substance Abuse Treatment Center. It included a location map showing the Zoning District R2/R4; vicinity of the prison and the 911 Center; site plan showing center/parking; new Rabbit Transit bus stop; landscaping, lighting, and sidewalks.

**SCHENCK** Chairman Schenck asked whether the Developer’s Agreement was ready for approval.

**RAUSCH** Solicitor Rausch confirmed that it was, following discussions and review with the County.

**HOLMAN** Mr. Holman added that the County had approved it at their Wednesday meeting in accordance with the terms and conditions discussed by the Board at the last meeting.

**BISHOP** Mr. Bishop asked about the condition for providing a clear status of Heindel Road.

**HOLMAN** Mr. Holman responded that the County Solicitor and Solicitor Rausch worked out the details of terms and conditions for transfer from a municipal road to a County road in the Developer’s Agreement. The

concern was to make sure access will be maintained for the private driveway. This will save the County from having to put a cul-de-sac at the site, which was one of the initial plans and will allow the ease of access to the substance abuse center and the 911 center.

**RAUSCH** Solicitor Rausch indicated that the Petition will go to the Court of Common Pleas.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 05-21, YORK COUNTY SUBSTANCE ABUSE TREATMENT FACILITY WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §289-10.A-1 – REQUIREMENT FOR A PRELIMINARY PLAN;**
- **MODIFICATION OF SALDO §289-22 – CURBS AND GUTTERS ALONG HEINDEL ROAD BETWEEN DAVIES DRIVE AND PLEASANT ACRES COMPLEX;**
- **MODIFICATION OF SALDO §289-23.A – REQUIREMENT FOR SIDEWALKS ON NORTH SIDE OF HEINDEL ROAD AND ON BOTH SIDES OF HEINDEL ROAD BETWEEN DAVIES DRIVE AND PLEASANT ACRES COMPLEX;**
- **MODIFICATION OF SALDO §289-32 – PRIVATE STREET IMPROVEMENT TO PUBLIC STREET STANDARDS OF HEINDEL ROAD AND ON BOTH SIDES OF HEINDEL ROAD BETWEEN DAVIES DRIVE AND PLEASANT ACRES COMPLEX.**

**ALSO WITH THE FOLLOWING CONDITIONS:**

- **PROVIDE LETTERS FROM ALL AFFECTED PUBLIC UTILITIES;**
- **PROVIDE A CLEAR STATUS OF HEINDEL ROAD WITH THE ASSOCIATED PLANS;**
- **PROVIDE A FEASIBILITY STUDY AND REPORT CONCERNING SEWER AND WATER FACILITIES FROM THE LOCAL OFFICE OF THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE TOWNSHIP;**
- **PROVIDE A FINANCIAL SECURITY FOR PUBLIC IMPROVEMENTS IN AN AMOUNT APPROVED BY THE TOWNSHIP ENGINEER.**

**MR. DVORYAK WAS SECOND.**

**HOLMAN** Mr. Holman stated that one item in this is the Developer's Agreement, which was scheduled for later on the Agenda. He suggested it could be made a condition of the approval or the Board could approve the Developer's Agreement at this time.

**MR. GURRERI AMENDED HIS MOTION TO INCLUDE THE APPROVAL OF THE DEVELOPER'S AGREEMENT. MR. DVORYAK AGREED AS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. LD-05-17 – CHR Corp. (Rutter's Farm Store No. 11) – Action (6/9/06)**

**Staff Comments**

**RAO**

Mr. Rao provided background information in his memorandum dated May 11, 2006. He indicated the property currently contained a vacant industrial building, and the applicant, CHR Corporation, proposed a convenience store near the intersection of North Hills Road and Industrial Highway with fuel dispensing. A PowerPoint presentation provided an overview and clarified some information and open issues, which are listed as follows:

- Zoning and adjacent districts – Industrial, Professional Office, Open Space, Commercial and Residential R2.
- Existing conditions – debris, concrete, steel, junk, trash, etc.
- Settlement Agreement/Court Order indicated specific area to be green space.
- Footprint shows four individual truck spots for 20-minute parking, according to the Settlement Agreement.
- New signalized light.
- Cul-de-sac to be extended for northerly entrance.
- Landscaping to include trees, small bushes, shrubs planted on a three-foot high soil berm.
- Wall 40 inches high to deflect headlights of parked vehicles. Ordinance requires a wall to be extended all the way down North Hills Road.
- Lighting plan to contain lights closer to building.

Planning Commission reviewed the plan and approved:

- Waiver of preliminary plan.
- Waiver of concrete survey monuments on I83.
- Waiver of installing sidewalks from the south access drive to I83 on ramp.

Planning Commission vote was split on the following:

- Waiver for extending 40-inch wall on North Hills Road
- Waiver of 55-foot diameter cul-de-sac; 65 foot right-of-way.

**SCHENCK**

Chairman Schenck opened the floor to the developer.

**RAUSCH**

Solicitor Rausch asked about the proposed radius.

**Developer Comments**

**THOMAS**

Mr. Eric Thomas, LSC Designs, responded that 55 is the required diameter with a 65 foot right-of-way. They showed a 45-foot turnaround and a 50-foot radius.

**COUNTESS**

Attorney Countess noted several additional comments:

- Cul-de-sac – The objective is to be adequate currently for future access to go under I83 and connect with Spring Garden Township.
- Curbing - A deterrent toward any overnight truck parking.
- Sidewalk waiver – Planning Commission felt it would encourage pedestrians to cross a busy highway at an inappropriate place; much more logical to walk to the signal and cross.
- Traffic Study – Conclusion was change in signalization and addition of turning lanes would improve traffic flow.

**Board Questions**

- GURRERI** Mr. Gurreri asked how the developer had planned to keep trucks from parking.
- THOMAS** Mr. Thomas responded that the entire area would be curbed with limited access.
- GURRERI** Mr. Gurreri asked for an explanation of the plan for pedestrians.
- THOMAS** Mr. Thomas responded that there is a five to six foot white edged shoulder, which they thought was adequate.
- BISHOP** Mr. Bishop asked for further explanation of the pedestrian walkway.
- RUTTER** Mr. Tim Rutter responded that they were referred the existing shoulder on the west side of North Hills Road where pedestrians currently walk. He would agree to put a sidewalk in if the Board desired, but his concern was that it would encourage people to cross at the entrance ramp. He added that it was a long distance from the store to monitor it.
- RAUSCH** Solicitor Rausch commented regarding the cul-de-sac for clarity that it eventually will become a through street in Spring Garden Township and will be privately maintained.
- RUTTER** Mr. Rutter added that it would be offered to the Township, but they would assume that the Township would not accept it and CHR agreed to maintain that as a private street and private driveway.
- BOWMAN** Mr. Bowman asked for further explanation regarding the traffic making U-turns.
- THOMAS** Mr. Thomas explained that they use a truck turning template, which dictated the standard.
- SCHENCK** Chairman Schenck noted that the York County comments mentioned the potential for work on I83. If the roadwork were to occur it could

negatively impact the Rutter's plan. He asked whether the developer had learned anything further.

**THOMAS**

Mr. Thomas responded that there had been a meeting in which Mr. Holman and Mr. Luciani along with some Spring Garden Township officials attended. The discussion indicated that there are up to 10 different options of potential plans, but it will probably be another five to 10 years before any decision will be made and plans would move forward. One option would go right through the site; however, that option was low on their list. Some options had an off-ramp that circled around and down under I83 and tied in to Rutter's planned extension. The two townships wanted to be sure not to lose their connection point. The conclusion was the PennDot really does not know what actually will happen. He added that there is some risk for CHR, and it's their decision as to what they want to do.

**SCHENCK**

Chairman Schenk noted that many years ago the bridge was built for I83 for a future connection through to Spring Garden Township. He thought it imperative to do everything possible to maintain that connection.

**THOMAS**

Mr. Thomas acknowledged that they had attempted to come up with a compromise for everyone.

**SCHENCK**

Chairman Schenck asked about the status on the HOP.

**THOMAS**

Mr. Thomas responded that first a traffic impact study was submitted to PennDot. They requested some changes. It was revised and re-submitted, followed by an official letter response to address comments, which was re-sent back to PennDot. That was about two weeks ago, and nothing further had been received. The HOP plans are prepared and ready to go upon approval.

**SCHENCK**

Chairman Schenck asked for information concerning widening that would occur on the east side of North Hills Road, especially by the barn and south. He asked also what work would be done in the right-of-way.

**THOMAS**

Mr. Thomas responded that there is no widening taking place there due to the location of the barn. All widening will take place on the west side. The work done in the right-of-way will be overlay, along with the rest of the road with new pavement the whole way through.

**SCHENCK**

Chairman Schenck asked about curbing on that side.

**THOMAS**

Mr. Thomas responded that no curbing was proposed on the east side.

- GURRERI** Mr. Gurreri asked about the status of the lights staying on the lot and not shining into residences.
- THOMAS** Mr. Thomas responded that the plan called for specific lighting that would not shine off the lot.
- GURRERI** Mr. Gurreri noted concern about the left-hand turn out and asked whether that remained on the plan.
- RUTTER** Mr. Rutter responded that left turns out of the site were eliminated.
- THOMAS** Mr. Thomas added that, based on the recommendations of the Planning Commission and then in the staff meeting, they added signage and traffic delineators with a straight curb. It would be slanted curb on one side in case the back of the tractor-trailer did ride up over it. Hopefully it will discourage motorists from making a left-hand turn out of the site.
- GURRERI** Mr. Gurreri asked for the entrance directions.
- THOMAS** Mr. Thomas responded there would be right-in and left-in, but no left-out.
- GURRERI** Mr. Gurreri asked about comments concerning less traffic.
- THOMAS** Mr. Thomas introduced Greg Creasy from Grove Miller to address the traffic comments.

**Traffic Comments**

- CREASY** Mr. Creasy stated that PennDot asked Rutter's to go back and use the ITE manual trip generation for a Rutter's convenience store previously used. PennDot then said they could no longer accept that due to the change in the nature of the stores. A revised study was done to include the trip generation numbers, which are slightly higher, and the analysis did not have a significant impact on the levels of service. It did not impact the improvement recommendations at all. With the ITE manual that is used for a convenience store, it begins with a total new trip generation, the number of people who go in and out of the site and adds a factor called a pass-by trip, which is someone who is already driving on the road. As a secondary trip a customer will go into Rutter's and then continue on their way. If someone stops for coffee on their way to work, they did not leave their house to go to Rutter's; they went there because it was on their way and they wanted coffee. That factor is an a.m. peak hour. They allow us to use 63% of the trips as pass-by trips. In the p.m. it's 66%, which is a nationally-accepted standard. Roughly one out of every three trips that are projected to use the site are new, so roughly 2/3 are existing trips that were already on the roadway network.

**SCHENCK** Chairman Schenck asked what the total number of trips would be.

**CREASY** Mr. Creasy responded that new trips entering and exiting would be 51 people would come and 51 people would leave in that p.m. peak hour, which is a little less than one a minute.

**BISHOP** Mr. Bishop asked what intersections were studied.

**CREASY** Mr. Creasy responded that the study included the intersections of Industrial Highway and North Hills Road; North Hills Road and Wallace Street, as well as the two new access points to the site.

**Board Questions**

**SCHENCK** Chairman Schenck noted that In the Settlement Agreement with the Township there is a stipulation that states that CHR agrees not to allow trucks or trailers to park overnight in the parking lot. He asked how that would be enforced and with what method. He was not sure whether that would be considered a trespassing violation.

**RUTTER** Mr. Rutter responded that in other townships and boroughs they had worked with the local police to find out exactly what signage they would like to see in order to enforce the ordinance. Rutter's had posted the specific signage enabling the local police to come in. They also provide approximately 18 cameras to monitor the sites.

**RAUSCH** Solicitor Rausch cautioned to be sure to keep in mind that it was part of the Settlement Agreement/Court Order.

**SCHENCK** Chairman Schenck commented that his question came from the fact that a lot of times there are rules but no way to enforce them. However, it sounded as though there was some immediate remedy available with the trespassing provision.

**ESHBACH** Chief Dave Eshbach responded that it is a problem because the police department does not enforce no parking signs on private property. Signs as posted indicate that a vehicle was parked there beyond a certain amount of time, then the operator is a signed trespasser and it is dealt with under the state crimes code and not a local ordinance. The issue becomes how long have they been there and who has watched. The police officers don't have the time to go out and sit and time trucks sitting there, so the responsibility is Rutter's. They have to post it; they have to be the ones to provide the information, and that person has to come to court and testify to that. It doesn't matter if that messes up their work shift or whatever else. When court comes they must be there to testify.

**DVORYAK** Mr. Dvoryak stated that he needed to better understand the logistics of the cul-de-sac. He referred to the traffic study which indicated that the left turn coming out of the site on the cul-de-sac could be delayed as much as seven minutes backing up traffic on to the site. He was attempting to reconcile that with the stop bar and tractor-trailers trying to make a turn in that cul-de-sac.

**CREASY** Mr. Creasy responded that the site that has the longer delay is on the Industrial Highway side. The traffic volume is not high enough coming out of the cul-de-sac.

**GURRERI** Mr. Gurreri asked about the medial strip in the left-hand turn coming out at Wallace Street. He did not see the medial strip on the current plan.

**THOMAS** Mr. Thomas responded that the medial strip had been on one plan. When they met with PennDot at that point there was another driveway that was a right-in, right-out, as well as a full movement driveway. PennDot looked at the plan and indicated they did not want the driveway, and as a result the driveway was removed. They then indicated they preferred not to have a medial strip.

**GURRERI** Mr. Gurreri thought the medial strip should be included as a safety issue.

**THOMAS** Mr. Thomas indicated they proceeded on PennDot's recommendation.

**DVORYAK** Mr. Dvoryak asked Mr. Luciani whether he agreed with the comment about the left turn.

**LUCIANI** Mr. Luciani indicated he may have misinterpreted the directions on traffic coming out. He was not certain with the change, which he thought was a fairly long delay.

**THOMAS** Mr. Thomas clarified that he referred to the leg of the intersection making a left turn out of that turning left onto southbound North Hills Road.

**Citizen Comment**

**SCHENCK** Chairman Schenck opened the floor to citizen comments. He asked that each one use the microphone, state name and address so that comments could be made part of the record.

**HOFFMEYER** Attorney William Hoffmeyer introduced himself representing the Olde East York neighborhood. A summary of his comments follow:

- The demarcation line between industrial and professional office zoning was not the same in the presentation this date as it had been during the Planning Commission meeting on April 19<sup>th</sup>.

- Previous plans indicated that the demarcation line went out the middle of Wallace Street, straight across North Hills Road.
- The Settlement Agreement/Court Order indicated that CHR agreed to limit the construction related to the use of the portion of the property currently zoned industrial. That would not include those parking spaces and it appeared that plans submitted LD1 through LD8 are inaccurate.
- Settlement Agreement/Court Order indicated that CHR agreed not to allow trucks or tractor-trailers to park overnight in the parking lot.
- Township police would have to provide enforcement with an increase to the Township budget.
- Suggested that Rutter's hire private security to enforce 20-minute truck parking, as well as the overnight parking.
- Parking – Pads next to the pumps cannot be counted. Ordinance requires 49.2 parking spaces. Without the pads next to the pumps they do not meet the parking requirement.
- Existing building – Nothing has changed since the 1940's.
- Industrial zone permits a truck terminal, but it must be indoors.
- Sidewalks on the west side of North Hills Road; people will walk regardless.
- Curbing should be installed so that no trucks can park on North Hills Road.
- Lighting/Headlights – There will be lights heading in all directions.
- North Hills Road Widening – Will take place on the west side. North Hills Road has an 80 foot right-of-way except at the barn, and then becomes a 60-foot right-of-way. The power lines on the east side of North Hills Road are about five feet west of the right-of-way line. Yards of every home on North Hills Road are in the right-of-way.
- Any widening will take place on the east side of North Hills Road.

**HOFFMEYER**

Attorney Hoffmeyer provided the Board with a brief concerning the parking lot and the insufficient parking lot spaces.

**DVORYAK**

Mr. Dvoryak asked whether he was suggesting the wall should extend around the entire property.

**HOFFMEYER**

Attorney Hoffmeyer responded that he was suggesting absolute prevention and a construction in such a way that it is impossible for anyone to park on North Hills Road.

**SCHAEFER**

Tom Schaefer, 138 North Keesey Street, spoke on behalf of Olde East York neighborhood. He spoke against the plan citing issues of crime, DEP potential issues with underground gasoline storage tanks, soil and other pollution into Mill Creek and the HOP proposal which appeared to have some discrepancies.

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- SCHENCK** Chairman Schenck recalled reading documentation concerning the environmental work, which indicated it was clean.
- RUTTER** Mr. Rutter responded that Phase I was completed. It stated what the past uses were and that it is the responsibility of the land owner, the Newton Group, for any fines. It can be dealt with in accordance with DEP rules and regulations.
- SCHAEFER** Mr. Schaefer asked if that could be translated for the benefit of the people.
- HOLMAN** Mr. Holman stated that DEP would have to approve any plans to clean the site.
- WENZKE** Ms. Annabelle Wenzke, 2121 East Philadelphia Street, a resident for 10 years and a retired professor indicated it was a beautiful place to live. She spoke against the project and indicated it would come down to political, legal, personal and neighborhood issues.
- EISENHART** Ms. Jan Eisenhart, 25 North Manheim Street, a resident for 30 years spoke against the project and brought out the issue of space, previous traffic studies by TRG, congestion, and truck traffic.
- FERNANDEZ** Mr. Dave Fernandez, 1843 Wallace Street, spoke against the plan and addressed the cul-de-sac situation, space for turnarounds, traffic congestion, crime and lights affecting the neighborhood.
- MALONE** Mr. Gilbert Malone, 2125 East Philadelphia Street, a resident since January, 1967, spoke against the plan and cautioned the Board to read the Settlement Agreement/Court Order very carefully. He cited the storm water basin, the cul-de-sac, parking, and space for trucks, which he suggested be removed from the plan, and which he did not believe met the requirements of the Court Order. He had sent a letter to the Township stating his comments.
- SCHENCK** Chairman Schenck responded to Mr. Malone that they had received a copy of his letter, as well as a response from Solicitor Rausch which was in disagreement.
- RAUSCH** Solicitor Rausch echoed that his letter did not agree.
- BUBB** Ms. Arlene Bubb, 1753 East Wallace Street, a resident since 1954 spoke against the plan, especially with regard to trucks. She cited crime, walkers and left-hand turns from Wallace Street on to North Hills Road.

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- SCHENCK** Chairman Schenck responded that as the plan was presented she would be able to make a left onto North Hills Road coming out Wallace Street. Previous designs indicated a medial strip there.
- HOFFMAN** Ms. Tracie Hoffman, 118 North Manheim Street, a resident for 10 years, spoke against the plan. She cited speeding conditions on her street, which would worsen with the convenience store. She fears for the safety of the little children on her street. She also cited additional traffic in the neighborhood.
- PRITCHETT** Ms. Carol Pritchett of 102 North Rockburn Street spoke against the project citing heavy five o'clock traffic.
- TROUT** Mr. Kip Trout, 1907 Wallace Street, spoke about the Rockburn playground where his children like to play. He spoke against the project citing increased traffic, and safety for the children.
- WENTZ** Ms. Kim Wentz, 145 North Oxford Street, spoke against the project and cited the numerous Rutter's stores in the area.
- ROBERTSON** Ms. Kathryn Robertson, 40 and 41 North Vernon Street, a resident of 16 years spoke against the project citing safety issues, additional crime and traffic.
- DOLAN** Ms. Katy Dolan, 2252 Dixie Drive, a resident of 21 years, spoke against the project citing truck traffic, lower property values, pollution, noise, light pollution, and garbage.
- FERRAR** Mr. Paul Ferrar, 110 North Keesey Street, spoke against the project citing, increased traffic and associated congestion, left turns into Rutter's—a safety hazard, traffic lights, and tractor-trailer traffic, the PennDot plan for the area.
- HOFFMEYER** Attorney Hoffmeyer mentioned that the Zoning Ordinance, Section 27104 indicated that ".....should be held to the minimum requirements for the promotion of public health, safety, comfort and convenient general welfare." He added that this would be the only truck stop for any trucks heading south between Ephrata and Shrewsbury. He submitted that a condition should be attached that no trucks are permitted on the property.
- GURRERI** Mr. Gurreri asked whether or not they have enough parking spaces.
- LUCIANI** Mr. Luciani responded that they have 49.2 spaces rounded up to 50 spaces. The current plan shows 55 spaces. If the seven spaces were deducted from the quantity, they are two short.

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- SCHENCK** Chairman Schenck asked whether he was counting the gasoline pumps as a parking spot.
- LUCIANI** Mr. Luciani responded that he had observed that occurring many times. They had deliberated it in staff meetings, and it met the dimensional requirement for a parking space. Based on that and maneuvering room around the parking spaces it seemed reasonable.
- DVORYAK** Mr. Dvoryak asked whether the legal counsel had reviewed it and concurred.
- LUCIANI** Mr. Luciani responded that he did not think the Solicitor had been consulted.
- RAUSCH** Solicitor Rausch referred to the Settlement Agreement/Court Order that was negotiated and directed to Springettsbury Township and Rutter's. The biggest concern was keeping the convenience store and pump station on the property so as not to adversely affect the neighborhood. The definition of use in the agreement refers to 24 hour convenience store and pump station. There was also a drawing attached to the Settlement Agreement that had those seven parking spaces identified. The agreement was very difficult to negotiate but was done so in good faith. He did not think it would be in good faith for the Township to take issue at this time that those seven spaces do not belong. He added that all of the terms of that Agreement were discussed and presented at a public meeting.
- EISENHART** Ms. Eisenhart indicated that if it should be considered a parking space, it required an 18-foot drive through beside that space.
- LUCIANI** Mr. Luciani responded that it could be parallel or angular parking. There is a 24-foot drive aisle along Industrial Highway to access those parking spaces and along North Hills Road there's a 24-foot drive aisle.
- HOFFMEYER** Attorney Hoffmeyer cited the Settlement Agreement and indicated that other than stormwater management nothing else should be in the professional office zone, and if they wanted parking, the Order should have stated that.
- RAUSCH** Solicitor Rausch responded that when one is an advocate that appeared all right; however, when one is not a party to it, the use that was defined is the convenience store and the pumps, which clearly are in the Industrial zone, and as a practical matter parking spaces are permitted in the professional office district by right.
- BISHOP** Mr. Bishop stated that the Settlement Agreement was between Springettsbury Township and the developer and was fairly easy to read

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and understand. The decision made by this Board based on the Agreement and the information provided will be made in good faith to carry out that Agreement, as the Solicitor has advised.

**RUNK**

Mr. Franklin Runk, 149 North Hills Road, asked about the additional lane planned for the western side of North Hills Road. He noted that, in addition, a grass area will move the plan further back. He questioned whether the plot of ground will be wide enough to make it lawful for the development.

**LUCIANI**

Mr. Luciani responded that the Planning Commission recommended the right-in, right-out driveway. The curb line, which will not change, is already there, and everything done on the plan begins at that curb line. All the lanes were factored in, along with the 15-foot buffer strip, which would not be necessary if there was 50 more feet of room available.

**SCHENCK**

Chairman Schenck thanked the residents for coming. He added that he was certain that the neighborhood had learned that the Board had listened to them. It is not the Board's job to approve or deny a plan for not liking the plan or because another convenience store is not necessary. It is made by making sure that the development meets Township requirements. If there are items in the plan that need adjusted and need some waivers, that is permitted, and nearly every approved plan has waivers granted as a normal part of the process. His question was how far to stretch until enough is enough. His questions relate to the cul-de-sac requirements, along with the authority to allow or disallow trucks parking on the site. He was not in favor of the left-turn access from the southern access point to the site. If trucks were not permitted on the site, then the cul-de-sac would not be necessary and would solve many of the neighborhood concerns. As for approving the plan, the Board could do so or not. There is time left on the plan before a deemed approval.

**DVORYAK**

Mr. Dvoryak echoed Chairman Schenck's comments on the cul-de-sac. His concern regarding the cul-de-sac was the way it was proposed to be structured. His additional question concerned the request for waiver of the wall, which he understood across from the barn building; however, as Supervisors, they need to think long term and what could be on that site 10 or 20 years into the future. It would be impossible to predict if that barn is still going to be there or what might be there. He was inclined to not grant the waiver on the four-foot wall.

**SCHENCK**

Chairman Schenck indicated he would insist on having the sidewalk as long as possible.

**GURRERI**

Mr. Gurreri agreed on the need for a sidewalk.

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- BOWMAN** Mr. Bowman agreed on the point concerning truck parking. Not having trucks on the site would alleviate a lot of other situations, such as the cul-de-sac, monitoring their parking, noise, etc.
- RAUSCH** Solicitor Rausch commented that the Settlement Agreement implies that there will be trucks on the site and it prohibits parking overnight. In order to sustain a position on that there must be fairly solid evidence that there will be serious traffic. Expert testimony to that end would be a problem; otherwise the court will strike it down.
- SCHENCK** Chairman Schenck commented that the only way to solve the truck situation is for the developer to agree, which would never stand up in court. His continued concern was about the cul-de-sac problem and it is a problem because of the trucks.
- RUTTER** Mr. Rutter commented that he would pull the trucks off the plan.
- SCHENCK** Chairman Schenck stated he was only one member of the Board but that would make him happy.
- BISHOP** Mr. Bishop suggested that the Board move through the waivers and modifications and vote on each one individually.
- RAUSCH** Solicitor Rausch indicated that the Board could proceed on that basis.
- WILLIAMS** Mr. Earl Williams, 130 North Finley Street, brought forward the intense traffic situation during peak afternoon hours, and suggested that a third lane would add to problems for motorists.
- EISENHART** Ms. Jan Eisenhart, 25 North Manheim Street, asked Solicitor Rausch what would be considered expert testimony based on the road and traffic congestion.
- RAUSCH** Solicitor Rausch responded that it would be a traffic engineer who would testify that by allowing trucks in and out of that site it would be a hazard to the health, safety and welfare of the citizens.
- EISENHART** Ms. Eisenhart questioned whether it could be part of the TRG study that was done several years ago that addressed part of this problem in the safety and road hazards in their neighborhood.
- RAUSCH** Solicitor Rausch responded that the study specifically dealt with a specific proposal.

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- EISENHART** Ms. Eisenhart responded that it addressed the traffic congestion at that time, and the traffic flow has greatly increased. She thought figures could be obtained from PennDot on the traffic flow on North Hills Road.
- RAUSCH** Solicitor Rausch noted that the property is zoned Industrial, which presumes that trucks could come to that property. A truck terminal is a permitted use by right. It is a difficult burden to prove, but that's the dilemma because it is zoned Industrial, which means it accepts truck traffic.
- EISENHART** Ms. Eisenhart commented that the state would accept losing the existing berm of the road.
- AVILLO** Mr. Phil Avillo, 27 North Russell Street, asked whether the Board was accepting the notion that parking by the pumps is acceptable. There are 18 spaces there, which precludes any zoning or waivers.
- BISHOP** Mr. Bishop responded that the Board had not accepted nor denied anything, but are simply gathering all the necessary information in order to make some decisions.
- AVILLO** Mr. Avillo commented that a contract was negotiated when the Township entered in that Settlement Agreement.
- BISHOP** Mr. Bishop responded that it was negotiated because the Township was sued. The Agreement was entered into after a decision by our Zoning Hearing Board was appealed by CHR Corporation. It was a situation that the Board was forced into and had to respond one way or the other with a decision.
- AVILLO** Mr. Avillo challenged the concept that parking at the gas pump would be a parking space. He couldn't leave his car parked there all day.
- GURRERI** Mr. Gurreri noted that Mr. Rutter said he would consider taking trucks out of this equation. He asked if everybody heard his comment.
- BISHOP** Mr. Bishop stated that he would be very uncomfortable with the idea of redesigning a plan in a public meeting. The way to get a plan changed is for the staff to work with the developer and come to an agreement that is reasoned over time. To sit in a public meeting and force a developer into making changes and concessions in a public meeting, there are myriad opportunities for misunderstandings, miscommunications and ultimately law suits. That's what this Board wants to avoid.
- SCHENCK** Chairman Schenck asked whether the Board was agreeable to work through the waivers individually.

**Consensus was agreement of the Board to vote on each waiver individually.**

**MR. BISHOP MOVED THAT WITH RESPECT TO LAND DEVELOPMENT 05-17, CHR CORPORATION/RUTTER'S TO APPROVE THE MODIFICATION TO SALDO §289-23.A – REQUIREMENTS FOR SIDEWALKS ON THE NORTH SIDE OF INDUSTRIAL HIGHWAY. MR. BOWMAN WAS SECOND.**

**DVORYAK** Mr. Dvoryak asked whether it was Mr. Bishop's intent to include a 6-month note on the plan for sidewalks.

**BISHOP** Mr. Bishop responded that it was excellent suggestion.

**LUCIANI** Mr. Luciani confirmed that a 6-month note was on the plan

**MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED TO APPROVE THE MODIFICATION OF SALDO §289-17, WITH RESPECT TO CONCRETE MONUMENTS ALONG THE I83 EMBANKMENT DUE TO THE STEEP SLOPES IN THAT AREA. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED TO DENY THE WAIVER TO §289-10.A-1, REQUIREMENT FOR A PRELIMINARY PLAN AS THIS IS A RELATIVELY COMPLEX PLAN AND THE BOARD DESERVES TO HAVE A MORE DETAILED REVIEW. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**MR. BISHOP MOVED DENY WAIVER §289-23.A FOR THE REQUEST FOR SIDEWALKS ON THE SOUTH SIDE OF NORTH HILLS ROAD TO I83. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop stated that he personally thought that the request for the buffer yard relief across from the commercial use at Gohn and Stambaugh is reasonable. It was his opinion that it would always be a commercial use.

**MR. BISHOP MOVED TO APPROVE THE WAIVER FOR §289-26, LANDSCAPING AND BUFFER YARD REQUIREMENTS. MR. GURRERI WAS SECOND. MOTION FAILED. MESSRS. BISHOP, GURRERI VOTED YES; MESSRS SCHENCK, DVORYAK AND BOWMAN VOTED NO.**

**MR. BISHOP MOVED TO APPROVE THE WAIVER FOR §289-32.J.3, CUL-DE-SAC TURNAROUND FOR 55 FOOT RADIUS LINE AND 65 FOOT RIGHT-OF-WAY ORDINANCE REQUIREMENT. MR. SCHENCK WAS SECOND. MESSRS. BISHOP VOTED YES; MESSRS. SCHENCK, DVORYAK, GURRERI AND BOWMAN VOTED NO. MOTION FAILED.**

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- SCHENCK** Chairman Schenck stated that there were other conditions that still needed to be dealt with.
- BISHOP** Mr. Bishop questioned procedurally what the implication would be for denying the waiver for Preliminary Plan at this point.
- RAUSCH** Solicitor Rausch responded that since waivers were denied, then the applicant is required to come back with changes to be in compliance.
- SCHENCK** Chairman Schenck stated the outstanding conditions for clarity of the residents. They included:
- Highway Occupancy Permit from PennDot
  - Revised Traffic Study
  - Letter from Conservation District for E&S plans.
  - Escrow needed to be posted
  - Norfolk Southern letter, which had been received.
- FERNANDEZ** Mr. Fernandez asked who would have jurisdiction on the extension of Industrial Highway.
- SCHENCK** Chairman Schenck responded that it is proposed that the piece of road would be built to Township specifications as if it were a Township road but it would be owned by the developer until such time when the Township wanted to take it as a road. Until that time, the developer would plow it and maintain it as their road. At the time when it goes through to Spring Garden, then the Township would want it to be a Township road.
- FERNANDEZ** Mr. Fernandez wondered whether that would change Norfolk Southern's ruling.
- SCHENCK** Chairman Schenck responded that it would not since it does not encroach on their property. The encroachment potential was due to the cul-de-sac.
- MALONE** Attorney Gilbert Malone asked whether the Board would make a decision as to whether or not to allow left turn's heading north into the south entrance.
- SCHENCK** Chairman Schenck responded that the Board could not do that since it is a PennDot road and PennDot's decision.
- LUCIANI** Mr. Luciani mentioned that they had received a Letter of Awareness from PennDot. However, since there is concern about the left-turn into the site, the Manager could send a letter to PennDot about those concerns.
- SCHENCK** Chairman Schenck recalled reading that PennDot was inclined to require a right-in, right-out.

**LUCIANI** Mr. Luciani indicated he was correct; it had been in one of PennDot's letters.

**SCHENCK** Chairman Schenck stated that he appreciated the resident's attendance and welcomed them to stay for the remainder of the meeting.

**8. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that Police Chief Eshbach was one of six Officers nominated for Officer of the Year. The ceremony was held this date.

**SCHENCK** Chairman Schenck congratulated Chief Eshbach on the nomination.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman indicated he had nothing to add to his report.

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

**A. Ordinance No. 06-05 – Establishing Truck/Weight Prohibition on Eastern Boulevard between Cinema Drive and Edgewood Road**

**MR. BISHOP MOVED TO APPROVE ORDINANCE NO. 06-05 ESTABLISHING TRUCK/WEIGHT PROHIBITION ON EASTERN BOULEVARD BETWEEN CINEMA DRIVE AND EDGEWOOD ROAD. MR. BOWMAN WAS SECOND.**

**DVORYAK** Mr. Dvoryak questioned whether the weight limit will prohibit people who move in and out of apartments in that area.

**HOLMAN** Mr. Holman responded that it would not as vehicles could make local deliveries.

**MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-51 – Authorizing Execution of Highway Occupancy Permit Condition Statement for Mundis Mill/Sheridan Road Traffic Improvements.**

**HOLMAN** Mr. Holman stated that item B covered the Highway Occupancy Permit for Mundis Mill and Sheridan Road for the traffic light to be installed by the Township.

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 06-51 AUTHORIZING EXECUTION OF HIGHWAY OCCUPANCY PERMIT CONDITION STATEMENT FOR MUNDIS MILL/SHERIDAN ROAD TRAFFIC IMPROVEMENTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Authorization to Enter into Development Agreement with County of York for Detoxification and Rehabilitation Facility located on Heindel Road.**

This item had been acted upon earlier during the Agenda.

- D. Authorization to Enter into Agreement Establishing an Escrow Account in Lieu of Providing Surety Bond for Construction of County of York's Emergency Services Center/911 Facility.**

**MR. GURRERI MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT ESTABLISHING AN ESCROW ACCOUNT IN LIEU OF PROVIDING SURETY BOND FOR CONSTRUCTION OF COUNTY OF YORK'S EMERGENCY SERVICES CENTER/911 FACILITY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Authorize Execution of Agreement with NuTec Design Associates for Commercial and Industrial Building Permit Submissions.**

**MR. GURRERI MOVED TO AUTHORIZE EXECUTION OF AGREEMENT WITH NUTEC DESIGN ASSOCIATES FOR COMMERCIAL AND INDUSTRIAL BUILDING PERMIT SUBMISSIONS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. Authorization to Enter into Professional Services Agreement with Carroll Buracker & Associates, Inc. for Joint Fire Consulting Services in an amount not to exceed \$59,500.**

**SCHENCK** Chairman Schenck stated that item F covered a contract with Carroll Buracker & Associates for the Joint Fire Services Study in an amount not to exceed \$59,500. The Township's share is \$7,435 which is within the budget allocation.

**HOLMAN** Mr. Holman added that the amount budgeted was \$15,000.

**BOWMAN** Mr. Bowman noted what appeared to be a typographical error in Section 3, item B regarding one-third of the fee.

**HOLMAN** Mr. Holman agreed that it was a typo; the contract is for \$59,500. He will have the typo corrected.

**MR. BISHOP MOVED TO APPROVE AUTHORIZATION TO ENTER INTO PROFESSIONAL SERVICES AGREEMENT WITH CARROLL BURACKER & ASSOCIATES, INC. FOR JOINT FIRE CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$59,500. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop questioned whether there had been any payments made for the work previously done.

**HOLMAN** Mr. Holman responded that the state had paid for previous work.

**MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – April 27, 2006**

**MR. GURRERI MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 27, 2006 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**BOWMAN** Mr. Bowman reported that he had received another complaint concerning odor from the treatment plant. The complainant had called Mr. Hodgkinson; however, it was after hours.

**DVORYAK** Mr. Dvoryak asked when the Board could expect a report concerning the odor issue.

**HOLMAN** Mr. Holman referred to his monthly report in which he stated that Mr. Hodgkinson would provide that information, and he hoped to have it by the next meeting.

**SCHENCK** Chairman Schenck added that he had a telephone call and a personal visit concerning the Rutter's plan, one in favor and one against the plan.

**BOWMAN** Mr. Bowman asked about the letter from the Newton Group asking for signatures.

**SCHENCK** Chairman Schenck stated that the Township had received a copy of that letter. Mr. Holman had explained that it was a standard procedure whenever work was scheduled in a right-of-way.

**HOLMAN** Mr. Holman reported that the same letter was sent to the property owners on either side of Mundis Mill and Sheridan. It indicates a hold harmless agreement. If no one signs off then the Newton Group will sign off on the

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letter holding PennDot harmless while they are working on the road. He added that if he did not get the signatures for Mundis Mill and Sheridan by next mid-week, the Township will sign off in order to get the project moving.

**14. NEW BUSINESS:**

There was none for discussion.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 10:15 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

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APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 27, 2006 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, Director of Community Development  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director of Human Resources  
Dave Eshbach, Police Chief  
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 reported that no Executive Sessions had been held since the last meeting. He announced that the Development Authority will hold an Executive Session immediately following the meeting this date regarding real estate matters.

**3. COMMUNICATION FROM CITIZENS:**

**STUHRE** Charles Stuhre of 3680 Trout Run Road stated that he had reported in January about the auction house property at the intersection of Trout Run Road and Druck Valley Road. He provided photographs for the supervisors, which he had taken on April 26<sup>th</sup> indicating that the situation was worse. He noted especially the items covered with a blue tarp, parked vehicles, and debris. He

indicated that something needed to be done and added that if he had this situation on his property he would certainly be cited.

**SCHENCK** Chairman Schenck responded that it was a non-conforming use, zoned R4, which had been an auction house for many years.

**STUHRE** Mr. Stuhre indicated that one improvement they made was that the color of the tarps was changed to white. The previous owner had put everything inside the auction house and only occasionally would something be left outside because it was too large to put inside.

**BOWMAN** Mr. Bowman asked whether trash was in the boxes shown in the photographs.

**STUHRE** Mr. Stuhre responded that he did not know what was in the boxes since he did not go on the property. He noted that it seemed like the business had grown. He suggested that the building be expanded by 50% to house the items for auction. He added that there was a small storage trailer which he thought was close to the property line and which may be a zoning violation.

**HOLMAN** Mr. Holman asked Mr. Rao for an update on the status.

**RAO** Mr. Rao reported that the inspectors visited the site twice since Mr. Stuhre's initial complaint. The last visit was in late February. Mr. Rao requested copies of the pictures provided and offered to follow up. Property maintenance appeared to be the problem.

**SCHENCK** Chairman Schenck questioned whether outside storage and parking on the grass could be permitted because it is commercial use.

**RAO** Mr. Rao commented that parking on the grass is prohibited in any area.

**SCHENCK** Chairman Schenck noted that gravel is not an accepted parking place.

**STUHRE** Mr. Stuhre noted that the whole lot is gravel. There is no paving there at all and there is very little green space.

**Traffic Light – Pleasant Valley Road**

**SCHENCK** Chairman Schenck commented that he had parked in the area of the traffic light at Pleasant Valley Road to observe the timing changes for eastbound turns and thought that Mr. Stuhre's suggestion would be as easy as hanging a left arrow bulb.

**STUHRE** Mr. Stuhre suggested making the timing for the eastbound lane the same as the westbound lane. Even though there is no stacking lane, the vehicles are stacked in order to be ready for the 20 seconds that eastbound traffic can move.

**LUCIANI** Mr. Luciani responded that the issue had been discussed in the traffic safety meetings numerous times. The signal permit needed to be revised, and when PennDot has an opportunity to review the permit, then a number of other required standards will need to be implemented. Mr. Luciani suggested that exactly what would be required by PennDot should be quantified, because if that permit is to be revised, then other failing movements should be corrected as well.

**HOLMAN** Mr. Holman noted that PennDot may require all the failing intersections to be updated.

**STUHRE** Mr. Stuhre asked if some sort of small stopgap could be done just to alleviate the problem in the near future.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported that the contractor had remobilized on the Eden Road Interceptor project. The boring contractor was on site and began boring under the railroad. They will be moving upstream and doing other borings and the contractor reported that during the work under Eden Road the road will be closed for one or two days. The contractor will take responsibility for contacting the schools, 911, Harley-Davidson and the Township to advise exactly when that will occur. Staff had reviewed the scope of the Pistol Range Improvements project and will assign some of the tasks to the Township. The specifications and the bid form are being finalized. Drawings were developed and sent to PennDot for the revised relocated Sherman Street Sewer project. A Change Order will be issued.

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

**LUCIANI** Mr. Luciani reported that a design plan review was held with PennDot regarding Concord Road. The plan was formally approved, and a right-of-way clearance was approved as well. The environmental information was re-submitted. Norfolk Southern is moving forward with their design portion. The Township has

until some time in June for the Rutters project, which will be placed on the May 11<sup>th</sup> Agenda. If there are remaining outstanding issues, there are several more weeks to finalize the plan. With regard to the Sheridan Road project, one more sign off is needed to sign the HOP from the purchaser of the Carter farm. As soon as that signature is received, the contractor can begin.

**SCHENCK** Chairman Schenck noted that there had been several items where the Planning Commission had a split vote on the Rutter's plan.

**LUCIANI** Mr. Luciani recalled that there had been a 2/2 split vote for the landscape waiver, and there was a 3/1 vote on the cul-de-sac. He added that the Planning Commission was minus one member.

**SCHENCK** Chairman Schenck indicated that some of the items might come to the Supervisors as fairly open issues.

**LUCIANI** Mr. Luciani responded that some significant open issues remain, such as the PennDot HOP. Mr. Luciani and staff had reviewed their late March PennDot information. They had not actually filed a PennDot application. The only thing they submitted to PennDot was the PennDot traffic study. They can't get into the design until they figure out how many cars are going in which direction, which is an open issue. Other significant open end issues are (a) a landscaping waiver, and (b) geometry of the road.

**SCHENCK** Chairman Schenck stated that whenever there are open issues on a plan such as this, the Board needs to be well versed in the plan and know exactly what is being requested.

**LUCIANI** Mr. Luciani noted that if any of the Board members want to discuss the plan and review specific items, he will be available. There are some Township rules and regulations that are open ended and will need input from the Board.

**GURRERI** Mr. Gurreri reported that he was told that some of the residents received letters that some of their yards will be taken.

**LUCIANI** Mr. Luciani indicated that North Hills Road is a state highway. He explained the rights-of-way in the area and indicated that any time a roadway is changed PennDot requires an indemnification of the Department from any lawsuit. It is a concern for commercial properties. The Department requires (1) that the applicant notify the owners along the roadway, and (2) if those owners don't agree to those changes, then the legal form called "Indemnification" must be signed and provided to PennDot.

**SCHENCK** Chairman Schenck asked whether widening will be done on that side of the road. He wondered how they could be sending out letters on road work when the HOP had not been filed. He, too, had some people ask about the letters.

**HOLMAN** Mr. Holman stated that he was unaware of any letters or anything else that has gone out with regard to taking of land, etc. It may just be a rumor. He suggested that he and Mr. Luciani look into the situation and check with the developer on the status.

**LUCIANI** Mr. Luciani responded that it would provide a specific answer.

**HOLMAN** Mr. Holman stated that they will be letting the project for Deininger and Mt. Zion, which is scheduled for September 9<sup>th</sup>. He was unsure as to which year.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 27, 2006.**

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF APRIL 27, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Advertise for Bids for Pulverized Quicklime.**

**MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS FOR PULVERIZED QUICKLIME. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Advertise for Bids for 2006 Road Materials.**

**MR. GURRERI MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS FOR 2006 ROAD MATERIALS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were none for discussion.

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that he attended the PSATS convention. The seminars and speakers were very good. Mr. Holman put on a seminar regarding a Comprehensive Plan and did an excellent job. He thanked Mr. Holman for a great job. U. S. Senator Rick Santorum spoke. He was responsible for obtaining \$40 million in road repairs that had been previously removed. Governor Rendell spoke on a variety of subjects but discussed a 20% Property Tax Reform, which he thought was close to completion. Mr. Gurreri brought some materials back, which he had provided to Mr. Holman. He thanked the Township for sending him.

**SCHENCK** Chairman Schenck thanked Mr. Gurreri for taking the time to represent Springettsbury Township.

**BOWMAN** Mr. Bowman noted that there is a sewer pipe that is very high on Cambridge Road near Eastwood. There had been some paving around it, but the neighbors indicate that cars really bounce off of it.

**9. SOLICITOR'S REPORT:**

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

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman indicated he had nothing to add to his written report; however, action on one additional Resolution regarding the Jt. Fire project will be requested later in the Agenda.

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

**A. Resolution No. 06-48 – Authorization to Create and Amend Grant Fund Project Budget.**

**SCHENCK** Chairman Schenck asked for a brief status report.

**HOLMAN** Mr. Holman reported that a Grant Fund is being created which, instead of calendar year reporting, is a project fund budget to track the grants and provides for an easier reporting and maintaining of grants. The action had been strongly recommended by the Auditor and by Mr. Holman. Grants will go into the Grant Fund instead of the General Fund. He noted that some of the grants are for two, three and even 10 years. They have become a significant line item with an approximate total of \$1.5 million. He requested the Grant Fund be established in order to move forward.

- SCHENCK** Chairman Schenck asked how it would show up in the year the funds are expended.
- HOLMAN** Mr. Holman responded that some of the expenditures go for several years. The grant will stay as a line item until the audit is completed either by the state, the federal or the township auditor. Once audited the grant is closed. There's one print of all the reports, which will be filed and the grant closed. He added that grant accounting is a challenge, but this will streamline the process.
- SCHENCK** Chairman Schenck asked whether the items would then show up in the regular budget as a line item, such as for a park item.
- HOLMAN** Mr. Holman responded it would show as income coming into the Grant Fund and expenditure going out of the Grant Fund.
- SCHENCK** Chairman Schenck indicated that there could be activity going on that will be in two different places.
- HOLMAN** Mr. Holman noted that there might be a share of money in the Parks & Recreation. That matching share would be transferred over to the grants. It's state and federal grant fund accounting.
- GURRERI** Mr. Gurreri asked what would happen if the action would wait until the new budget in September.
- HOLMAN** Mr. Holman responded that they had tried to do so; however, they weren't ready to do so at budget time. At this time everything is set up. The journal entries will be logged in and double checked by the auditor so that all the accounts stay in order. He added that another grant is coming in and the charging will begin immediately.
- DVORYAK** Mr. Dvoryak stated that the Recycling Grant was unclear to him. It was his understanding that it will be programmed out of the general fund and a separate Grant Fund will be set up. He did not believe there would be any associated expenditures that go along with a recycling grant based on the money and rebates the Township receives.
- HOLMAN** Mr. Holman explained that the auditor had requested that the Recycling Grant and the Wastewater Grant should not be included in the Grant Fund and to leave them in their current funds. After the beginning of the year that will be reviewed to determine whether to move them into the next budget cycle.

**MR. DVORYAK MOVED TO ADOPT RESOLUTION 06-48 TO CREATE AND AMEND THE GRANT FUND PROJECT BUDGET. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution 06-49 – Jt. Fire Study**

**SCHENCK** Chairman Schenck reported that the Jt. Fire Study Committee had been given a great opportunity to have a pretty significant study done that DCED will sponsor and underwrite rather significantly.

**HOLMAN** Mr. Holman added that while DCED normally only funds 50%, they feel this is so important they will fund 75% of the project costs.

**SCHENCK** Chairman Schenck noted that each Township would have to provide \$7,425.

**HOLMAN** Mr. Holman noted that there was \$15,000 budgeted for this year, and only about \$800 had been spent so far. He added that a very important and exciting part of this is that the Township received the grant three weeks after submitting it and the consultant will be able to complete the study within four months of award of the contract.

**MR. GURRERI MOVED TO ADOPT RESOLUTION 06-49, JOINT FIRE STUDY GRANT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – April 13, 2006**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 13, 2006 AS AMENDED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

**A. Proposal for Pedestrian Bridge at Stonewood Park**

**HOLMAN** Mr. Holman stated that proposal had been received for a new pedestrian bridge at Stonewood Park. The proposal was provided to the Board members during the last meeting, and he had included it again. The individual would like to donate this to the Township. Mr. Luciani offered to donate his services to get a wetlands permit, and this would provide a secondary access to Stonewood Park. He

noted that it will provide much needed handicap accessibility and the park area will then be 100% ADA accessible. He stated that he would start the project moving forward if the Board concurred.

**Consensus of the Board was agreement to proceed with the new pedestrian bridge.**

**B. Schedule Date for Road Tour**

The Road Tour was scheduled for Monday, May 15, 2006 at 5 p.m.

**LUCIANI**

Mr. Luciani asked the Board to email Mr. Holman any streets to look at during the Road Tour.

**C. Acknowledge Receipt of March 31, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE MARCH 31, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Vacancy on the Planning Commission**

**BISHOP**

Mr. Bishop commented that since a vacancy had occurred on the Planning Commission and there had been some recent issues with tie votes, he suggested consideration of William Bender (who currently serves on the Zoning Hearing Board) for that Planning Commission position. There are presently two alternates for the Zoning Hearing Board. In the brief time Mr. Bender had been on the Zoning Hearing Board he displayed a pretty good idea of what's going on and would be willing do some more. He had indicated he would be willing to serve. Mr. Bishop noted that the Board had interviewed Mr. Bender.

**SCHENCK**

Chairman Schenck stated that he favored that process.

**MR. BISHOP MOVED TO APPOINT WILLIAM BENDER TO THE UNEXPIRED TERM OF MR. MEYERHOFF ON THE PLANNING COMMISSION. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK**

Chairman Schenck asked Mr. Holman to advise the Zoning Hearing Board when that actual vacancy occurred.

**BISHOP**

Mr. Bishop suggested looking for another alternate for the Zoning Hearing Board.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 27, 2006  
APPROVED**

- RAUSCH** Solicitor Rausch stated that one of the alternates automatically would move up.
- BISHOP** Mr. Bishop commented that if there's a vacancy at a meeting the idea is that the alternates can just ad hoc move into that. So it would not be necessary to appoint someone immediately in order for that board to function properly.
- RAUSCH** Solicitor Rausch indicated that Mr. Bender will come off the Zoning Hearing Board as he could not do both.
- HOLMAN** Mr. Holman noted that the Zoning Hearing Board will meet next week, and Mr. Bender will need to resign with a letter of resignation effective this date.
- BISHOP** Mr. Bishop asked Mr. Holman to be sure to communicate with him not to attend the next Zoning Hearing Board meeting.
- HOLMAN** Mr. Holman responded that he would take care of that first thing in the morning.

**14. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**APRIL 13, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 13, 2006 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, Secretary/Treasurer  
Mike Bowman  
George Dvoryak

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Director, Economic and Community Development  
Andrew Stern, Interim Fire Chief  
Dori Bowders, Manager of Administrative Operations  
Dave Eshbach, Police Chief  
David Wendel, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed everyone and extended holiday greetings. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session had been held after the last Regular meeting regarding personnel and real estate. There were none scheduled for this date.

**3. COMMUNICATION FROM CITIZENS:**

**SURTASKY** **Truck Traffic – Mt. Zion Road**  
Mr. Tony Surtasky, 2245 Mt. Zion Road, stated that he had attended several meetings of Central School Board concerning the road construction. He had mentioned previously, and wanted to go on record again, about the possibility of restricting trucks on Mt. Zion Road at certain times of the day. He indicated he had not

received much satisfaction from the Township, and it had been done in other areas of York County. He had found a lot of public interest, and wondered whether, if he got a legal petition together, who within the Township would have to sign it.

**SCHENCK** Chairman Schenck asked whether he would then direct it to the state.

**SURTASKY** Mr. Surtasky responded that he would take it to the state; however, he first would discuss it with our Representative, who indicated some interest. Mr. Surtasky commented that he had seen a lot of surveying being done up on top of the hill.

**SCHENCK** Chairman Schenck asked whether the state has a process outside of the normal procedures.

**HOLMAN** Mr. Holman responded that the Board had directed him to send a letter to the state on behalf of the Board requesting that truck traffic be banned from Mt. Zion Road. In response the state indicated they would not ban traffic on Mt. Zion Road; however, they did add some control, which was a 20 mile an hour speed limit and low gear zones.

**SCHENCK** Chairman Schenck commented that the Township is on record for a request to ban the truck traffic. He wondered whether there would be any problem if Mr. Surtasky did what he had proposed.

**HOLMAN** Mr. Holman indicated that he could get the petition signed, and the Township would be happy to forward it both to the state and to our representatives.

**SURTASKY** Mr. Surtasky indicated he was not sure whether he would proceed and indicated he had several other avenues he was exploring with the representatives. He wanted to be sure someone from the Township could sign it.

**SCHENCK** Chairman Schenck noted that there is documentation available to attach if he chose to do what he proposed.

**Jt. Fire Services Committee**

**SURTASKY** Mr. Surtasky reported that he had attended the last Jt. Fire Committee meeting. He noted a question that he had posed at that time as to whether the Committee had legally and morally provided the public with enough information and notification of meetings. He thought that before anything would be decided, it should be placed on a Referendum. He understood it would be up

to both the Township Boards to make sure the public is aware of any action. It will affect everyone.

**SCHENCK** Chairman Schenck stated that, as was discussed during the last Jt. Fire Committee meeting, that Committee will make its recommendations to the two Township Boards. When it comes to the Board of Supervisors, Chairman Schenck was certain there would be a place for public dialog.

**HOLMAN** Mr. Holman commented that the item had appeared in the newsletter and on the website.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported on Eden Road Interceptor and the contractor indicated he will be remobilizing this week. The driller will be starting next week. They will follow up.

**SCHENCK** Chairman Schenck wondered whether that would cause a problem with the boring contract.

**SCHOBBER** Mr. Schober responded that he is coordinating that with the general contractor.

**SCHOBBER** Mr. Schober reported on the Toxic Reduction Evaluation. The results of the March Whole Effluent Toxicity Test were received and passed. Verbal approval had been received from DEP that indicated the Township will not have to continue with the Toxic Reduction Evaluation, which was good news. Mr. Schober reported that a meeting will be held on Monday, April 17<sup>th</sup> regarding the Pistol Range with staff. Mr. Schober reported on the Sherman Street Road Construction indicating that when the contractor started laying this out he noticed where the road is crossing old Sherman Street there is sewer under the road. A quick re-design was done, and a section of sewer will continue directly under the road. The intent is to provide that design work to the contractor who will issue a Change Order to PennDot to do the work. Mr. Schober's understanding is that it is the School District's responsibility to pay for all utility relocations.

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

**LUCIANI** Mr. Luciani reported that Concord Road preliminary plans will be reviewed with PennDot during a meeting scheduled for

Wednesday, April 19<sup>th</sup>. Some environmental comments were received from our original report. Because of Caterpillar's chromium dump next to the roadway, PennDot was concerned about the actual location. The borings were done and tested for chromium, lead, and nickel. They measured them in 50 milligrams per kilogram. It is safe up to 190,000 milligrams per kilogram, which is far below any unique treatment of material. That information will be provided in an updated environmental report to PennDot. Mr. Luciani reported that a new budget estimate was done at approximately \$1 million, for which the scope is greatly shortened. He reiterated his prior comments that cement, lumber and steel all are at the highest price of all time, and labor goes along with that. He hoped the market would stabilize and that the project would be big enough to interest contractors. Mr. Luciani indicated that in his experience with rail crossings, estimates are normally overestimated.

**DVORYAK** Mr. Dvoryak read Mr. Luciani's comments about the Central High School impervious surface issue. He thought he read recently that St. Joe's was doing an expansion and asked whether they had faced the same issue.

**LUCIANI** Mr. Luciani responded that they had, but they had obtained a variance for it. They have an approved Land Development Plan to expand the social hall and classrooms. St. Joe's is probably in a 20-30 acre range, and Central High School is on 140 acres. The information the school received from the Zoning Hearing Board was no. However, they are indicating with community growth they need to look at one of several options, and they're looking for guidance. In addition, the Township is moving through a Comprehensive Plan, and the question is whether to contemplate more intense use in the residential zones.

**DVORYAK** Mr. Dvoryak asked whether the addition of another level at the school would be an option.

**LUCIANI** Mr. Luciani responded that it had been briefly discussed, but they would prefer to build out the back end of the school.

**HOLMAN** Mr. Holman indicated there are options they are reviewing.

**SCHENCK** Chairman Schenck noted that it is a two story structure now.

**LUCIANI** Mr. Luciani noted that the parcel next to the school going east is the Tree Farm, which has some built in concerns, and then to the west is the Carter farm for which plans have not yet been received.

They can't go north because of the river or south because of the road.

**HOLMAN** Mr. Holman stated that it would be addressed in the Comprehensive Plan, and it would be included as a part of the overall zoning. Letters and comments had been provided.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of April 13, 2006**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF APRIL 13, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Enter into Agreement with Northeastern York County Sewer Authority (NEYCSA) to Apply Bio-solids to Warren Herrold Farm.**

**SCHENCK** Chairman Schenck stated that item A is an agreement with the Northeastern York County Sewer Authority to apply bio-solids on a farm in their area, for which they have permits.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AGREEMENT WITH NORTHEASTERN YORK COUNTY SEWER AUTHORITY (NEYCSA) TO APPLY BIOSOLIDS TO WARREN HERROLD FARM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Award Bid for Police Department Closed Circuit TV System Replacement to Electronic Systems Installers, Inc. in an amount not to exceed \$24,874.**

**SCHENCK** Chairman Schenck asked Mr. Holman if Electronic Systems Installers, Inc. was the lowest bidder.

**HOLMAN** Mr. Holman responded that they were not the lowest bidder; however, they were the lowest responsive bidder. They met all the Township specifications. The solicitor provided his review and indicated the award to ESI would be correct. The Chief did an excellent review of the contracts.

**MR. DVORYAK MOVED TO AUTHORIZE AWARDED THE BID FOR POLICE DEPARTMENT CLOSED CIRCUIT TV SYSTEM TO ELECTRONIC**

**SYSTEMS INSTALLERS, INC. IN AN AMOUNT NOT TO EXCEED \$24,874.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENTS:**

**A. CorrFlex Display and Packaging – SD-04-21 and SD-04-23**

**RAO** Mr. Rao stated that his office had received a request by letter dated February 23rd asking that the plan be withdrawn for the Subdivision of the CorrFlex Display and Packaging. He requested the Board to make an official notification that the plan is withdrawn and return the escrow money back to CorrFlex.

**HOLMAN** Mr. Holman noted that the plan was approved but they did not move forward with it because the costs were higher than originally anticipated. An official withdrawal accepted by the Board will be documented in the minutes, along with a copy of the letter, which will be made a part of the minutes.

**MR. BISHOP MOVED TO ACCEPT THE REQUEST THAT WAS RECEIVED BY LETTER DATED FEBRUARY 23, 2006 FROM IRVIN S. NAYLOR TO WITHDRAW THE CORRFLEX DISPLAY FINAL SUBDIVISION PLAN PREVIOUSLY APPROVED BY THIS BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri reported that Tim Harvey sent a note of appreciation for the response of EMT's who came to his aid. He stated that they performed very professionally, and he was thankful for all of the Township employees.

**BOWMAN** Mr. Bowman reported a complaint from a resident on Eastern Boulevard, whose neighbor purchased a cherry picker in order to work on his roof. It had been parked in the driveway for three or four weeks under a blue tarp.

**BOWMAN** Mr. Bowman inquired as to the progress at Henry's Beverage. He had understood that the work done there was intended to clean up the corner.

**RAO** Mr. Rao responded that the owner will be attending a meeting with staff. Mr. Luciani will explain to him the requirements under the PennDot plan. Mr. Rao stated that he was pushing him to clean it up.

- SCHENCK** Chairman Schenck inquired about the Edgewood Road sidewalks.
- RAO** Mr. Rao responded that he had sent a courtesy letter several days ago requesting a time table from Ryan Homes for the sidewalk installation. He had received three calls from Ryan Homes and the developer, and he expected to have a time table from them by Monday, April 17<sup>th</sup>.
- HOLMAN** Mr. Holman added that Mr. Rao had indicated that the Certificate of Occupancy would not be issued for anything along Rex Drive.
- SCHENCK** Chairman Schenck commented that from time to time the same thing had been done with other developers. Chairman Schenck just wanted to be sure that Ryan Homes was still aware of the sidewalk issue on Edgewood Road.
- RAO** Mr. Rao reported on another issue relating to the Pasch development/Turkey Hill on Market Street. He had sent a letter of enforcement concerning their sidewalks, which only measured four feet and needed to be five feet wide. He requested a time table for that correction as well.
- HOLMAN** Mr. Holman added that, in order to get their temporary certificate, they provided the Township with a check for \$18,000 to hold until they finish the work.
- RAO** Mr. Rao indicated that there had been 12 inspections on the Turkey Hill project, and not one called for a sidewalk inspection. The Township had not been called for a final inspection.
- SCHENCK** Chairman Schenck indicated that they typically would have to have an inspection before they pour, which is when the problem of the width would be caught.
- GURRERI** Mr. Gurreri noted that the PSATS convention will be held soon. He is the voting delegate, and he questioned one Resolution concerning the dissolution of condo homeowners associations or planned communities. As he understood it, the current procedure allowed for an 80% vote to dissolve and return the area to the Township.
- RAUSCH** Solicitor Rausch responded that the homeowners association can vote to dissolve itself. However, any common element would still be owned pro-rata by individual owners. The organization documents would provide information. He added that it was becoming a growing problem by creating many homeowner

organizations and no one really knows what to do with it; example, the care and maintenance of storm water ponds.

**HOLMAN** Mr. Holman commented that Solicitor Rausch had just received the information in the package today. He asked him to review that for Mr. Gurreri.

**9. SOLICITOR'S REPORT:**

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

**GURRERI** Mr. Gurreri asked about the sign ordinance and asked whether that was the old or the new sign ordinance that the Board had previously approved.

**RAUSCH** Solicitor Rausch stated that there are a few, small technical amendments to be updated for the Board's review in the future.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported one item referencing the Manager/Secretary Job Description. He requested that an additional duty be added to the Job Description and the duty be termed the HIPPA Security Officer. This is Phase III of HIPPA and is a requirement that the Job Description be listed it as a duty.

**MR. BISHOP MOVED TO ADD THE DUTY OF HIPPA SECURITY OFFICER TO THE MANAGER/SECRETARY'S JOB DESCRIPTION AS REQUIRED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman requested approval to advertise for Ordinance for the Restriction of Truck Traffic along Eastern Boulevard between Cinema Drive and Edgewood. The County had approved the action. Trucks are unable to make the turn off of Eastern on to Edgewood. By using Cinema Drive they can get onto Market and make the turn.

**SCHENCK** Chairman Schenck indicated if trucks cannot drive on Eastern, would they still be able to park there. He had noted four trucks parked behind the Paddock.

**HOLMAN** Mr. Holman commented that unless they are for local delivery, they are not supposed to be there.

**RAO** Mr. Rao stated that they are permitted to park there. He had asked Chief Eshbach to review that, and they are allowed to park there if they are not 75 feet within an intersection.

**ESHBACH** Chief Eshbach added that unless there is a specific parking prohibition they can park there.

**HOLMAN** Mr. Holman requested a motion to approve advertisement of the Ordinance.

**MR. GURRERI MOVED TO APPROVE ADVERTISEMENT OF AN ORDINANCE TO RESTRICT TRUCK TRAFFIC ALONG EASTERN BOULEVARD BETWEEN CINEMA DRIVE AND EDGEWOOD ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Resolution No. 06-45 – Additional Street Lights – James Meadow Development**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 06-45 – ADDITIONAL STREET LIGHTS, JAMES MEADOW DEVELOPMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-46 – Authorizing Supplemental Appropriation from Capital Funds for Capital Projects.**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION NO. 06-46, AUTHORIZING SUPPLEMENTAL APPROPRIATION FROM CAPITAL FUNDS FOR CAPITAL PROJECTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-47 – Amending Fee Schedule**

**MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 06-47 AMENDING FEE SCHEDULE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Approve Right-of-Way Agreement with TFR Northwood Associates, York Town Center Holding, LP and Springettsbury Township for Traffic Improvement at the Northeast Corner of Mt. Zion and Concord Roads.**

**HOLMAN** Mr. Holman stated that the right-of-way is the agreement on the northeast corner of the intersection of Concord Road and Mt. Zion and Northwood Associates and York Town Center are the

principal players. The Township ended up with the easement. There's only one slight change in this that Mr. Rausch is making; the Township will not be cutting the grass there. They didn't have any problem with that. They recommended proceeding with the approval. The easement will allow that road to be widened at that location.

**RAUSCH** Solicitor Rausch stated that the attorneys for TFR Northwood prepared the Agreement. There are some minor changes. The attorneys requested the Township to authorize getting the landowners to sign off.

**MR. GURRERI MOVED TO AUTHORIZE TO APPROVE THE RIGHT OF WAY AGREEMENT WITH TFR NORTHWOOD ASSOCIATES, YORK TOWN CENTER HOLDING, LP AND SPRINGETTSBURY TOWNSHIP FOR TRAFFIC IMPROVEMENT AT THE NORTHEAST CORNER OF MT. ZION AND CONCORD ROADS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Enter into Mutual Aid Agreement with North York Borough for Emergency Services (Fire).**

**HOLMAN** Mr. Holman stated that the agreement is a standard agreement with North York Borough. The Solicitor reviewed and approved the agreement. Mr. Holman checked with the insurance company to assure coverage in that area. The insurance company signed off on the agreement. The agreement does meet all the requirements.

**BOWMAN** Mr. Bowman asked whether Springettsbury had done that before.

**STERN** Mr. Stern responded that every year ambulance agreements are completed, but fire mutual agreements are completed only once in a while. North York Borough recently restructured their fire department, and they are trying to get agreements up to date.

**BISHOP** Mr. Bishop commented that the Borough essentially took over the fire department.

**MR. GURRERI MOVED TO AUTHORIZE TO ENTER INTO MUTUAL AID AGREEMENT WITH NORTH YORK BOROUGH FOR EMERGENCY SERVICES (FIRE). MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Work Session – March 23, 2006**

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

**B. Board of Supervisors Regular Meeting – March 23, 2006**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES OF MARCH 23, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Springettsbury Township Volunteer Fire Company – Request for Reimbursement of Expenses (Total Amount - \$50,772.96)**

- 1) Utilities \$13,832.96**
- 2) Roof Repairs \$36,940.00**

**HOLMAN** Mr. Holman stated that the reimbursement covered utilities, which is standard reimbursement that the Township provides to the Volunteer Fire Company and for the roof repairs. He thanked Don Eckert for his efforts in providing the documentation, which the auditor expects for reimbursements.

**SCHENCK** Chairman Schenck asked whether there was an outcome of the discussions regarding utilities and having every department head's activities go through Mr. Stern for approval and payment.

**HOLMAN** Mr. Holman responded that it had been offered but there had been no response. The Township would be happy to pay the bills directly. When Mr. Holman and Mr. Stern met and discussed it with Don Eckert and the team they were going to go back and discuss it with the volunteers. It would certainly help them with their cash flow in the sense that they wouldn't have to be paying that out.

**DVORYAK** Mr. Dvoryak asked whether this reimbursement would be the first installment towards the \$70,000 that is in the budget.

- HOLMAN** Mr. Holman responded that the \$70,000 is for capital, which would be the roof project and \$70,000 for operational, which would be the utilities end of it, and that's how it will be broken down.
- DVORYAK** Mr. Dvoryak commented that he had recently seen copies of the bills submitted. One of the things he noticed, when discussing conserving the cash flow for the fire company, is that there is an opportunity for them to obtain a refund as a 501 (c) 3 corporation since they are exempt from Pennsylvania Sales Tax. Mr. Dvoryak noticed that they had been paying that Sales Tax on their utility bills. He was unsure what the Statute of Limitations is as to how far back they could claim a refund; but there is an opportunity there and they should be encouraged to take advantage of that and put that cash in the bank.
- SCHENCK** Chairman Schenck commented that he was sure they had been made aware of that.
- HOLMAN** Mr. Holman confirmed that they are aware of it. He indicated that such things are being addressed, and he thanked Mr. Stern and Mr. Eckert for their assistance.
- BOWMAN** Mr. Bowman asked how they pay for their fuel.
- HOLMAN** Mr. Holman indicated that the Township had not provided reimbursement, nor had the volunteer firemen paid the Township for fuel used in the trucks for at least 2-1/2 years.
- BISHOP** Mr. Bishop commented that there didn't seem to be much point in doing that because the amounts just go back and forth.
- DVORYAK** Mr. Dvoryak stated that it would actually make a difference because the Township agreed to contribute \$70,000 toward their operating costs; in addition the Township is paying fuel costs.
- HOLMAN** Mr. Holman noted that the paid firemen use the fuel in response vehicles.
- BOWMAN** Mr. Bowman noted that the \$70,000 really is \$70,000 plus.
- DVORYAK** Mr. Dvoryak asked whether that amount was significant.
- STERN** Mr. Stern reported that it amounted to a couple thousand dollars, but 90% of the fuel is used by personnel to drive a fire apparatus. He reported they are under budget, but not necessarily the volunteer budget.

- SCHENCK** Chairman Schenck commented that it could be argued either way. It's their trucks and they are providing the service.
- DVORYAK** Mr. Dvoryak asked who maintained the trucks.
- SCHENCK** Chairman Schenck responded that volunteers maintain the trucks.
- STERN** Mr. Stern stated that if the vehicle needed to go out for repairs, the volunteers pay for it. They maintain them for career personnel.
- DVORYAK** Mr. Dvoryak asked whether Springettsbury Township or the volunteers provide an oil change.
- STERN** Mr. Stern responded that for a scheduled oil change they go to a truck center and the volunteers pay for that.
- DVORYAK** Mr. Dvoryak commented that he was trying to see the difference between fuel and changing oil in terms of its paid personnel driving the truck but the volunteers are paying for the changing oil.
- SCHENCK** Chairman Schenck indicated that the reality is the Township probably does pay for the repairs.
- HOLMAN** Mr. Holman stated that he would have a report created of the actual costs.
- BISHOP** Mr. Bishop commented that fuel costs are a lot of money.
- DVORYAK** Mr. Dvoryak asked whether there were any other items besides fuel that should be handled in a similar way.
- STERN** Mr. Stern responded that the only item he was aware of would be the cell phones in the apparatus. That had been questioned as to who should pay for it.

**MR. DVORYAK MOVED TO APPROVE ITEM A, THE REIMBURSEMENT TO THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY IN THE AMOUNT OF \$50,772.96. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Request by Penn State Cooperative Extension to Move Compost Park to John Rudy Park**

- HOLMAN** Mr. Holman stated that they will be manning a station there, and they would like to have the compost park moved there. He had

spoken to both the Recycling Committee and to Charlie Lauer, Public Works Director, who would be in favor of moving this. He had checked the original grant application, and this would be allowable. If the Board has no objection, it will be utilized much more there as it will be manned.

**SCHENCK** Chairman Schenck asked what the Recycling Committee thought about that.

**HOLMAN** Mr. Holman responded that they liked the idea of moving it. They wanted to move it and believe it will get much more attention there.

**SCHENCK** Chairman Schenck commented that the Recycling Committee had a lot to do with getting it built in the first place.

**HOLMAN** Mr. Holman requested a consensus of the Board.

**Consensus of the Board was agreement to move the compost park to John Rudy Park.**

**C. Authorization to Advertise for a Farming Lease for 15 Acres of Cleared Tree Farm Land.**

**SCHENCK** Chairman Schenck noted that item C requested authorization to advertise for a farming lease for some land by the Township sewer plant.

**HOLMAN** Mr. Holman requested authorization to advertise to put the bio-solids on the 15 acres formerly used for trees. This would be for an agricultural use. He had reviewed it with DEP and had received verbal approval for the use.

**HODGKINSON** Mr. Hodgkinson added that state regulations indicated that a crop must be harvested, and the land had been dormant since the mid-90's.

**SCHENCK** Chairman Schenck asked whether anyone would want to lease the 15 acres.

**HODGKINSON** Mr. Hodgkinson responded that he knew of at least one who would lease it to farm.

**MR. GURRERI MOVED TO AUTHORIZE ADVERTISEMENT FOR A FARMING LEASE FOR 15 ACRES OF CLEARED TREE FARM LAND. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Acknowledge Receipt of Auditor General's Audit Report for the Springettsbury Township Volunteer Firefighters' Relief Association for the period January 1, 2003 to December 31, 2004.**

**HOLMAN** Mr. Holman requested a formal motion accepting the report.

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF AUDITOR GENERAL'S AUDIT REPORT FOR THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION FOR THE PERIOD JANUARY 1, 2003 TO DECEMBER 31, 2004. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck suggested that, time permitting, the Board should read the report.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
WORK SESSION**

**MARCH 23, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, March 23, 2006 at 6:15 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN ATTENDANCE:** Bill Schenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
George Dvoryak  
Mike Bowman (arrived at 6:35 p.m.)

**ALSO IN ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Harish Rao, Community Development Director  
Andy Hinkle, Manager, Information Systems  
Dori Bowders, Manager of Administrative Operations  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 6:15 p.m. He stated that the Work Session would be used for the Board of Supervisors to learn how to use the National Geomatica system.

**2. SPRINGETTSBURY – GIS MAPPING:**

**RAO** Mr. Rao stated that the Township was ready for public usage of the National Geomatica site mapping for Springettsbury. He distributed paper documents with additional information describing the icons. He provided an overview of the mechanics of the system. He demonstrated by navigating through the site and showing a variety of information within the site such as sewer lines, aerial views, buffer zones, census information, rights-of-way, utilities, geologies, school districts, voter districts, parks, new projects, signalization and tax assessments.

**HOLMAN** Mr. Holman suggested that the Board members use the site, ask questions and make any suggestions for improvement.

**SCHENCK** Chairman Schenck noted that anything public within the County should be on the public site.

**3. ADJOURNMENT:**

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

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 23, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 23, 2006 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, Secretary/Treasurer  
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  
Teri Markley, Public Relations and Grants  
Dave Eshbach, Police Chief  
David Wendel, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and led the Pledge of Allegiance.

**B. “Chrome” Award Presentation from Harley-Davidson Re: Route 30 and Eden Road Improvements**

**HOLMAN** Mr. Holman invited Terry Byrne and Tim Debes to present the Harley-Davidson “Chrome” Award. Mr. Holman noted that the purpose is due to the success of the private and public partnership that occurred between Springettsbury Township, Harley-Davidson and the Commonwealth of Pennsylvania

**BYRNE** Mr. Terry Byrne of Harley-Davidson Motor Company stated that Harley-Davidson evaluated all their projects at the York Campus during 2005. The roadway improvement project was a partnership between Harley-Davidson and Springettsbury Township and the State of Pennsylvania and was approximately \$10 million worth of investment. All the work that was completed was approximately 11% under budget, on schedule and has made tremendous improvement in logistics, safety and employee satisfaction at the York Campus. Harley-Davidson expressed their thanks for the Township’s cooperation.

**HOLMAN** Mr. Holman asked Chairman Schenck to accept the award. He stated that it would be difficult to thank everyone who worked on the project. He expressed thanks to all the staff members who had attended many of the meetings, Board members as well, and stated that it had been an excellent process.

**SCHENCK** Chairman Schenck indicated that he had been involved in some of the early meetings. He especially remembered when the idea of moving Eden Road was initially discussed, and how responsive Harley-Davidson had been to the idea. The Township was pleased that the entire project worked out so well. He thanked the staff who worked very hard and accepted the award on behalf of the Township.

**DEBES** Mr. Tim Debes of NuTec stated on behalf of the NuTec Companies, TRG and the engineers on the project, that it had been a tremendous project. He commented that it was done in 18 months from concept to bidding to completion of the project under budget and on schedule. He presented a miniaturized "Chrome" Award in a display for the Township.

**SCHENCK** Chairman Schenck stated that the Township appreciated NuTec's efforts and thanked them for the memento.

**DEBES** Mr. Debes complimented and thanked Andrew Stern, who was Director of Economic Development at the time. He stated that Mr. Stern had made a big impact on keeping Harley here and had been instrumental in coordinating with the Commonwealth and the Township.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck noted that there had been no Executive Sessions since the last meeting; however, one was scheduled for this date regarding personnel matters. In addition, the Development Authority will meet regarding real estate.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

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

**SCHOBBER** Mr. Schober reported that DEP had made a presentation with regard to the BNR Study reports. The main thrust from the public was how to pay for it. There was nothing new to offer on the program, which is on hold for several months. Mr. Schober met with staff to kick off the second phase

of the Long Range Sewer Plan. He will utilize the new mapping and provide a presentation on the sewer system and the Long Range Plan. Mr. Schober reported that a cost estimate was put together for the Pistol Range Improvements, which may be used for some grants.

**BOWMAN** Mr. Bowman asked Mr. Schober about his item 5 on Toxic Reduction Evaluation and whether he had learned anything new.

**SCHOBER** Mr. Schober responded that everything possible had been provided to DEP. There are no problems to identify at this time.

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

**LUCIANI** Mr. Luciani reported on the proposed Giant Market store at Caterpillar Site at Memory Lane. A sketch plan was presented to the Planning Commission and there are primarily traffic issues. The developers are working with the Haines Road study to evaluate recommended traffic improvements. Mr. Luciani reported that the bidding for Mt. Zion Road and Sherman Street was done for Central High School. He provided the costs per lineal foot for concrete pipe, depending on the size, might be anywhere from \$100 up to \$400 per lineal foot to put that pipe in. A pre-cast inlet might be as much as a few thousand dollars. He felt it was important for the Board to know the itemized costs for various public works improvements. Mr. Luciani, Mr. Holman and other staff members will be meeting with Central High School and residents. A number of residents were notified of the meeting: those on the detour route, those people affected by the No Parking Ban and those impacted by the Safe Routes to School sidewalks project. He provided some visual posters showing the areas to be discussed. The Board members were invited to attend the meeting, which was scheduled for Saturday, March 25 to start at 10 a.m. and conclude by Noon.

**SCHENCK** Chairman Schenck indicated he had an opportunity to briefly review some sketch plans for the proposed Giant.

**LUCIANI** Mr. Luciani responded that the plan is interesting; however, getting trucks in and out of the site will be a challenge. The problem can be dealt with to provide an esthetically improved area. He indicated that he would try to get a reduced copy of the plan so that the Board is fully informed.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of March 23, 2006**

**GURRERI** Mr. Gurreri asked about the laptops that were replaced.

**HOLMAN** Mr. Holman responded that they one of the original laptops died; one was for Harish Rao and one replaced Mr. Holman's, which moved to Mr.

Stern, whose laptop will remain in the Board room for use with the plans.  
The laptops are being rotated.

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF MARCH 23, 2006. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization for Wastewater Treatment Department to Purchase 2006 John Deere CT 332 Track Skid Loader at an amount not to exceed \$54,873 through Pennsylvania State Contract No. 2420-02.**

**SCHENCK** Chairman Schenck asked whether the item had been budgeted.

**HOLMAN** Mr. Holman responded that it was included in the 2006 Sewer Municipal Fund Capital Budget. The skid loader will be moving to Public Works.

**HODGKINSON** Mr. Hodgkinson responded that it would be moving to the Collection Department in Public Works. It will be a shared asset.

**MR. GURRERI MOVED TO AUTHORIZE FOR WASTEWATER TREATMENT DEPARTMENT THE PURCHASE OF A 2006 JOHN DEERE CT 332 TRACK SKID LOADER AT AN AMOUNT NOT TO EXCEED \$54,873 THROUGH PENNSYLVANIA STATE CONTRACT NO. 2420-02. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization for Wastewater Treatment Department to Purchase 2007 International Tandem-Axle Chassis and Thiele Dump Body at an amount not to exceed \$119,930.43 through Pennsylvania Capital City (PACC) Contract.**

**SCHENCK** Chairman Schenck asked whether the item had been included in the budget.

**HOLMAN** Mr. Holman responded that it was in the 2006 Springettsbury Township Sewer Capital Budget.

**SCHENCK** Chairman Schenck noted that the item will replace a 1988 truck.

**HODGKINSON** Mr. Hodgkinson stated that the new truck will be equipped for snow removal for Public Works.

**MR. GURRERI MOVED TO AUTHORIZE FOR WASTEWATER TREATMENT DEPARTMENT TO PURCHASE 2007 INTERNATIONAL TANDEM-AXLE CHASSIS AND THIELE DUMP BODY AT AN AMOUNT NOT TO EXCEED \$119,930.43 THROUGH PENNSYLVANIA CAPITAL CITY (PACC) CONTRACT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Purchase Playground Equipment for Kingston Park at an amount not to exceed \$26,912 through Pennsylvania State Contract No. 7810-01.**

**HOLMAN** Mr. Holman stated that the reason the item was split between Subdivision Recreation and Capital Fund is that the cost of plastics rose faster than anticipated. It was \$1,000 against the Capital Budget.

**SCHENCK** Chairman Schenck noted that the item was over budget.

**HOLMAN** Mr. Holman responded that it was slightly over but will be taken out of the Capital Budget.

**BOWMAN** Mr. Bowman questioned why there was no breakdown on the installation. He asked whether the Township would install it.

**WENDEL** Mr. Wendel responded that the vendor will provide the installation at no cost.

**MR. GURRERI MOVED TO AUTHORIZE THE PURCHASE OF PLAYGROUND EQUIPMENT FOR KINGSTON PARK AT AN AMOUNT NOT TO EXCEED \$26,912 THROUGH PENNSYLVANIA STATE CONTRACT NO. 7810-01. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Purchase Three (3) 2006 Ford Crown Victoria Police Cruisers from Warnock Chevrolet at a total amount not to exceed \$61,237 (two marked and one unmarked).**

**SCHENCK** Chairman Schenck asked whether the item was budgeted and whether it was within the budget.

**HOLMAN** Mr. Holman responded that it had been budgeted in the General Fund Capital Budget. This represents two marked and one unmarked vehicle as proposed in the budget. He added that the item was within the budget.

**SCHENCK** Chairman Schenck asked what would be done with the old car.

**HOLMAN** Mr. Holman responded that one will replace the white car that's in such bad shape, and that vehicle will be either auctioned off or perhaps sent to Louisiana.

**ESHBACH** Chief Eshbach indicated he had heard nothing from officials in Louisiana since the donation had been made during 2005.

**MR. BOWMAN MOVED TO AUTHORIZE PURCHASE THREE (3) 2006 FORD CROWN VICTORIA POLICE CRUISERS FROM WARNOCK CHEVROLET AT A TOTAL AMOUNT NOT TO EXCEED \$61,237. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-05-19 – Eastern Boulevard Medical Office – Action (3/23/06)**

**RAO** Mr. Rao provided a synopsis of LD-05-19, Eastern Boulevard Medical Office as documented in a March 23, 2006 memorandum. The applicant wished to construct a 30,800 square foot, two-story medical office building, parking area and associated site improvements. He provided PowerPoint descriptions of the site, which was the former Ohev Shalom location. There were a number of district zones including A0, Residential, Commercial Highway and Open Space which had to be factored into the design of the project. Landscaping was an issue to buffer between the districts, as well as parking, and two areas of egress. The site layout plan was designed by NuTec Design.

**SCHENCK** Chairman Schenck questioned the reference to the sewer connection and whether there is concern about connecting on Market Street.

**LUCIANI** Mr. Luciani responded that he was correct. Because there is no storm line that extends up Royal Street their runoff flows in the gutter down Market Street. The intention is to extend the storm line up Royal Street into the site. PennDot approval is needed because they are ultimately connected to a PennDot system.

**SCHENCK** Chairman Schenck stated for clarification that it was not the sanitary sewer.

**LUCIANI** Mr. Luciani responded that he was correct. A sanitary sewer lateral is already on site. The storm sewer is the one that requires PennDot approval.

**HOLMAN** Mr. Holman noted that the approval of the Developer's Agreement on this plan is listed later in the Agenda.

**LUCIANI** Mr. Luciani stated that the developer and both he and Mr. Holman had met a number of times concerning traffic calming in the area. An effort was made to refine an agreement where the developer would install two longitudinal islands, a circle in the center and a couple of bulb outs. The Township is doing some landscaping and some coordination in some traffic control. There is an option for a payout by the developer in the agreement. If those improvements fail or become too complex, the Township would take the developer's cash instead. In addition, the developer had requested a waiver of traffic study. Because the driveway lines up directly with the shopping center, there doesn't seem to be a traffic problem. Planning Commission had some concerns about traffic. In addition, there were some minor landscape waivers/modifications,

which Planning Commission recommended. They are not increasing the paved area. The Development Agreement is part of the approval.

**BISHOP** Mr. Bishop asked how it happened that both entrances are on Royal Street.

**LUCIANI** Mr. Luciani responded that Eastern Boulevard has heavy traffic volume. Mr. Luciani and Mr. Baugh reviewed the plan and the preference was not to have an entrance on Eastern Boulevard because of the volume. The entrances were placed onto Royal Street because it would align with the adjoining shopping center, which was one of the goals. They cannot put an entrance onto Russell Street due to a deed restriction, which prevents access onto Russell Street. The individual that had to sign off on that was Mr. Uhler, who did not want the traffic on Russell.

**BISHOP** Mr. Bishop asked how an individual across the street ended up with a deed restriction.

**WATSON** Mr. Jerry Watson of Keystruct Construction responded that it was from 1953 when the property was sold to the synagogue. The people who purchased those properties inherited the deed restrictions.

**BISHOP** Mr. Bishop asked whether attempts were made to have the deed restriction removed.

**WATSON** Mr. Watson responded that there had been numerous deed restrictions all of which were removed with one exception. There were nine or ten property owners involved with the deed restrictions, seven of which removed all restrictions and three removed all but one, which was access to Royal Street.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 05-19, EASTERN BOULEVARD MEDICAL OFFICE WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §22-304 – PRELIMINARY PLAN**
- **WAIVER OF SALDO §22-305.2.S – ADJACENT STREETS**
- **WAIVER OF SALDO §22-307 – SCALE OF PLAN**
- **WAIVER OF SALDO §309.F – TRAFFIC STUDY**
- **WAIVER OF SALDO §26-107.B – PREDEVELOPMENT GROUND COVER CONDITIONS**
- **MODIFICATION OF SALDO §26-107.G – MINIMUM SLOPE FOR ALL DETENTION BASINS**
- **MODIFICATION OF SALDO §26-107.1 – STORMWATER BASIN IS BELOW GRADE AND CONSTRUCTED FROM CHAMBERS, THEREFORE THERE CAN BE NO SIDE SLOPES.**
- **CONDITIONED TO PROVIDE CONNECTION TO THE STORM SEWER ON TO EAST MARKET STREET AND OBTAINING A HIGHWAY OCCUPANCY PERMIT.**

- **CONDITIONED ON EXECUTION OF DEVELOPERS AGREEMENT WITH LANDOWNER, ROYAL STREET ASSOCIATES LP.**

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

**SCHENCK** Chairman Schenck suggested to move the Development Agreement forward on the Agenda. Consensus of the Board was agreement to do so.

**11. C. Authorization to Enter into Development Agreement with Keystruct Construction**

**HOLMAN** Mr. Holman requested a motion to approve the Development Agreement with Royal Street Associates LP.

**MR. GURRERI MOVED TO APPROVE THE DEVELOPMENT AGREEMENT WITH ROYAL STREET ASSOCIATES LP. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that he had received several comments concerning the Wastewater Treatment Plant odor. He indicated that it seemed to be an annual difficulty. The individuals just want to be assured that the Township has done everything that can possibly be done.

**SCHENCK** Chairman Schenck indicated he had received some calls too, probably different individuals. They requested that Chairman Schenck be sure to get their complaints on record. He added that it is the time of year when the odors seem to be intensified.

**HODGKINSON** Mr. Hodgkinson stated that it is, unfortunately, the time of year. He had received only two complaints over the last month and indicated that if he does not receive complaints, he assumes everything is satisfactory. He added that the composting process causes the odor. With the current equipment and technology in place, everything that can be done has been done; however, there are things that could be done if money was no object.

**BOWMAN** Mr. Bowman reported that one person's comment was if this can be spread out among a lot of different municipalities using it, or if there is something else that can be done that would cost a little bit of money, it might be worthwhile to do it.

**HODGKINSON** Mr. Hodgkinson responded that everything that is bought for treatment plant operations is shared expense. If Springettsbury Township spends \$50,000 on chemical for odor control, Springettsbury isn't paying the entire \$50,000. That amount is spread out over all of the users.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 23, 2006  
APPROVED**

- HOLMAN** Mr. Holman noted that the odor control is being done in accordance with DEP.
- HODGKINSON** Mr. Hodgkinson noted that he had received no calls about odors from DEP in year 2005 and to date in year 2006.
- SCHENCK** Chairman Schenck asked whether it would help to notify Mr. Hodgkinson when they get the calls and whether they should ask the caller for their geographic location.
- HODGKINSON** Mr. Hodgkinson responded that anyone can call and let him know that there's a problem related to the treatment plant, which will help.
- HOLMAN** Mr. Holman commented that the Township is doing all that can be done.
- DVORYAK** Mr. Dvoryak stated that he had heard differently; that more money could be spent to correct the problem.
- HODGKINSON** Mr. Hodgkinson responded that he assumed more could always be done. They could stop composting and take it to the landfill which would cost a couple hundred thousand dollars. Everything has an economic impact.
- DVORYAK** Mr. Dvoryak stated that he had received a call about this from an individual south west of the plant. He indicated that from his perspective it would be helpful and interesting to know just what the options are, and what the price tag would be.
- HODGKINSON** Mr. Hodgkinson responded that he would put something together.
- SCHENCK** Chairman Schenck added that it would be helpful for the Board members when the calls come as it would help to explain it to the residents.
- HOLMAN** Mr. Holman added that Mr. Schober had been working on an estimate of costs.
- SCHOBBER** Mr. Schober stated that when the 537 Plan was done, the staff did a compost study. He will review that study.
- SCHENCK** Chairman Schenck recalled that one of the options was covering it and adding scrubbers, etc., which was millions of dollars.
- SCHENCK** Chairman Schenck noted one caution, which is a perceived negative attitude concerning the odor.

**Clarification – Central School Meeting**

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**SCHENCK** Chairman Schenck stated that he met a Central School Board member while working at the race at the Township on Saturday. He mentioned a meeting with the School Board.

**HOLMAN** Mr. Holman indicated that the meeting is not with the School Board. He and Dr. Estep have a meeting. They are going to present the latest study from Penn Corporation on what they think their future is going to have to be. They asked that it not be a Board meeting.

**SCHENCK** Chairman Schenck asked whether Mr. Holman would clarify that because the School Board President seemed very strong about it.

**LUCIANI** Mr. Luciani stated that it will be a Pennsylvania Economy League meeting scheduled for 3/28 at 2 p.m.

**HOLMAN** Mr. Holman stated that it was very clear that Dr. Estep did not want it to be a Board meeting; it was to be staff to staff. Board members could attend if they wanted to do so.

**LUCIANI** Mr. Luciani provided some background on that meeting of the Pennsylvania Economy League, which inventoried the housing units that were coming on line in Manchester and Springettsbury. There was actually an article about the potential growth of approximately 2000 students in 10 years. Mr. Luciani thought the meeting would be just a follow up to fix those numbers.

**HOLMAN** Mr. Holman stated that he would discuss the matter with Dr. Estep.

**SCHENCK** **Roadrunners Race**  
Chairman Schenck reported that there was a race on Saturday of the York Roadrunners Club, and every time they have an event here they're just really grateful for the cooperation they get particularly from the Police Department and Parks & Rec. They'd really like to get that White Rose and Red Rose Marathon going. Chairman Schenck indicated he would support them, not necessarily that the Township would.

**GURRERI** **Dog Park**  
Mr. Gurreri reported that he was in Chicago visiting his daughter and visited a dog park. He reported that there were no restrictions, anybody could go in; no permitting or anything like that. Two years ago he had visited one in Evanston and the users had to pay \$50.00 to join. The one in Chicago looks like a parking lot with a four-foot fence around it. They have bags and a place to get water and one bench. Mr. Gurreri provided a brochure for information.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch stated that he had nothing further to add to his report.

**10. MANAGER'S REPORT:**

- HOLMAN** Mr. Holman reminded the Board that there will be a vacancy on the Planning Commission. The April Planning Commission meeting will be held Tuesday, April 25, 2006.
- GURRERI** Mr. Gurreri asked whether a Supervisor could apply for the Planning Commission.
- RAUSCH** Solicitor Rausch responded that a Supervisor could sit on the Planning Commission.
- HOLMAN** Mr. Holman reported that he had spoken with Mr. Brassler regarding the APX property, also known as the Donnelley property. APX will go into Chapter 11 for reorganization. No additional information was provided concerning jobs or the future there. He will forward further information as it is received.

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

- A. Ordinance No. 06-04 – Establishing “No Left Turn” at the intersection of Greensprings Drive and Mt. Rose Avenue.**

**MR. BOWMAN MOVED TO ADOPT ORDINANCE NO. 06-04, ESTABLISHING A NO LEFT TURN AT THE INTERSECTION OF GREENSPRINGS DRIVE AND MT. ROSE AVENUE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Authorization to Approve Right-of-Way Agreement between TFR Northwood Associates, LP, York Town Center Holding, LP, and Springettsbury Township for Traffic Improvements at the Northeast Corner of Mt. Zion Road and Concord Road.**

**HOLMAN** Mr. Holman stated that item B. should be placed on hold until next meeting. There are some additional questions for the Northwood Associates and York Town Center Holding.

- C. Authorization to Enter into Development Agreement with Keystruct Construction.**

**SCHENCK** Chairman Schenck noted that action had been taken on item C. earlier during the Agenda.

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Regular Meeting – March 9, 2006**

**MR. BISHOP MOVED TO APPROVE MINUTES OF THE MARCH 9, 2006 MEETING AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Discussion on Development Agreement for the County Drug and Alcohol Rehabilitation Center.**

**HOLMAN** Mr. Holman stated that Solicitor Rausch, Mr. Luciani and he had been meeting with the County to provide terms for a Development Agreement. Mr. Noll was present to respond to any questions. He provided the terms that are being considered, which include \$6,500 to offset costs to the Comprehensive Plan traffic work. The County has requested that Heindel Road be turned over to the County or closed. Access would always remain as private property. The County would pay 50% of the legal and engineering fees of any future rail crossings. The County had been working with the Township to bring this to a conclusion.

**SCHENCK** Chairman Schenck asked for clarification on the status of the house on Heindel Road. He asked who owned the property and what might become of it.

**NOLL** Mr. Chuck Noll, representative of the County, responded that the house that exists on Heindel Road is a private residence, and the County does not own that property. The home was in existence at the time that the Heindel Road was readjusted. The County has no intention or plan to acquire that in any way, shape or form at this point.

**SCHENCK** Chairman Schenck indicated that was contrary to what he had been led to believe.

**NOLL** Mr. Noll added that to his knowledge there was never any plan on the part of the County to acquire that property.

**SCHENCK** Chairman Schenck stated that it had been confusing as the home accesses through Heindel Road, and the County owns the road.

**NOLL** Mr. Noll stated that the County owns the property that is east of the house. The Township actually owns the road from Concord to the house.

**HOLMAN** Mr. Holman added that it was a very small piece.

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- GURRERI** Mr. Gurreri recalled that the property owner was concerned about the bus stopping there and people walking right past her house. There was a discussion about that.
- HOLMAN** Mr. Holman stated that on the plans before the Planning Commission a bus stop and a path will be placed right at the substance abuse center.
- NOLL** Mr. Noll stated that the County is interested in having most of that traffic come to the facility down Concord and onto Davies Drive when it is extended. That's a much better location and certainly a better coordination of vehicle and pedestrian traffic.
- SCHENCK** Chairman Schenck asked about the sewer line easement and whether that would go back to East York.
- HOLMAN** Mr. Holman indicated that both Mr. Hodgkinson and Mr. Schober sent the design for review.
- BISHOP** Mr. Bishop asked whether any consideration had been given to some of the stormwater issues that existed on the southern end of the property out to East Market Street.
- LUCIANI** Mr. Luciani responded that the stormwater problem that had evolved over time has runoff coming from the north side of Route 30 and extending down to the County properties to the west of this location. The 911 center and the substance abuse facility are actually taking all their stormwater and obtaining approval from Norfolk Southern to pass a storm line beneath the railroad tracks, an additional conveyance structure, managing all that water and bringing it down through the Road House. Right-of-ways were obtained as part of the 911 center to bring that water underneath that area. That should create an additional conduit; whereas in the past stormwater for this vicinity actually flowed to the west, that little 30" pipe that further aggravated that problem to cause the spills. They provided a slight additional relief to solve that problem.
- BISHOP** Mr. Bishop asked about the provisions for getting an easement underneath Norfolk Southern.
- LUCIANI** Mr. Luciani stated that there are approximately 1000 acres that drain into that 30-inch pipe that goes underneath the track. The solution is to enlarge that 30-inch pipe.
- HOLMAN** Mr. Holman indicated that a formal Development Agreement will be prepared.
- NOLL** Mr. Noll added that the County would be interested in providing some kind of cap on engineering fees and is still willing to pay 50% of those

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costs, but they would like there to be a cap there if it can be achieved by some agreement on what that value should be.

**HOLMAN** Mr. Holman indicated that Mr. Luciani and Solicitor Rausch will meet and determine the cost.

**NOLL** Mr. Noll indicated that would be the only thing for the Board to address.

**SCHENCK** Chairman Schenck asked whether the Township would become a party to make sure that the homeowner is not harmed as far as access to their home, if this road is turned over the County.

**NOLL** Mr. Noll responded that he did not think it will be an issue. The County takes care of the majority of the roadway and would continue to provide all the snow removal and maintenance on the roadway. He did not think it would impact the homeowner.

**HOLMAN** Mr. Holman stated that the Township will make sure to convey that roadway, and Solicitor Rausch can discuss it with the County Solicitor.

**NOLL** Mr. Noll thanked Mr. Holman and the staff who have really worked well with the County on this project. He expressed the County's appreciation for the cooperation and added it had been a real pleasure working with them.

**B. Acknowledge Receipt of February 28, 2006 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE FEBRUARY 28, 2006 TREASURER'S REPORT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:15 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**MARCH 9, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 9, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

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

**MEMBERS NOT IN ATTENDANCE:** Bill Schenck, Chairman

**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, Human Resources  
Dave Eshbach, Police Chief  
David Wendell, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**BISHOP** Vice Chairman Don Bishop called the meeting to order at 7 p.m. He stated that Bill Schenck would not be present.

**A. Opening Ceremony**

**BISHOP** Mr. Bishop led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**BISHOP** Mr. Bishop stated that no Executive Sessions had been held since the last Regular meeting, and none were required for this date.

**3. COMMUNICATION FROM CITIZENS:**

**HADGINSKE** **Rutter's Project**  
Mr. Paul Hadginske, 35 North Marshall Street, questioned several items concerning the Rutter's store.

- Timing of Board decision – Extension to 6/10/06.
- Item placed on April Planning Commission Agenda.
- Zoned Industrial/Office – No zoning for mini-mart/gas station.

- Variance denied by Zoning Hearing Board; appeal made and decision will likely be in favor of applicant due to ambiguity in zoning ordinance.
- North Hills Road is a state road.
- PennDot will control the traffic study; concerns are congestion and future plans for expansion of 83.

**Speed Limit Signs**

**HADGINSKE**

Mr. Hadginske noted that in his neighborhood there are no speed limit signs. He asked whether the police could enforce speed if there are no posted signs.

**ESHBACH**

Chief Eshbach stated that the police department cannot enforce speed where there is no posted speed limit sign.

**HADGINSKE**

Mr. Hadginske asked what was necessary to get posted speed limit signs.

**RAUSCH**

Solicitor Rausch responded that if it is within a residential neighborhood, the Township has the power to erect signs.

**HOLMAN**

Mr. Holman suggested that Mr. Hadginske send a letter to him requesting a traffic study to begin the process.

**HADGINSKE**

Mr. Hadginske indicated he would do so.

**4. ENGINEERING REPORTS:**

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

**SCHOBER**

Mr. Schober provided a report on the Eden Road Interceptor. The contractor had been delayed by his boring subcontractor; however, Mr. Schober expected the work to begin early in April. Supplemental information had been added to the BNR Study. In addition, Mr. Schober met with Jim Crooks on Long Range Sewer Planning, and the second phase of that will begin in the near future. The Township's renewal for the sewage plant discharge permit (NPDES) was submitted; however, that process will take another six to nine months for DEP to complete. Mr. Schober will be watching the effluent limit results to determine whether they are consistent with the Chesapeake Bay Strategy. They are preparing a cost estimate for the Pistol Range Improvement.

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

**LUCIANI**

Mr. Luciani reported that two Land Development Plans require action on the Agenda: Market Street Commons and Heritage Hills Pavilion. Unfortunately, the file became corrupted during the day, and as a result no

PowerPoint presentation could be made. Because the landscaping is fairly important in the Heritage Hills plan, paper copies of the existing landscaping were provided for review. Mr. Luciani noted that a verbal agreement had been reached regarding the landscaping in the center of the islands in the area of Eastern Boulevard Medical Center. The developer will construct those improvements. Mr. Luciani will confirm with the County to be sure that there will be stop signs and not yield signs at that location.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of March 9, 2006**

**GURRERI** Mr. Gurreri noticed that vehicle parts are purchased from some suppliers outside of the Township. Where suppliers are available within the Township, parts should be purchased from them.

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE PAYABLE LISTING OF MARCH 9, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

There were none for action.

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. SD-06-01 – Market Street Commons, Lot 5 – Action**

**LUCIANI** Mr. Luciani stated that the purpose of the plan is to subdivide the western portion of Stoneridge Road adjacent to Lot 5. There had been some concerns regarding the actual right-of-way of the former Stoneridge Road, which was proposed to be abandoned; that will be corrected through this corrective subdivision. The plan had been approved in 2005, had been revised and reviewed by Planning Commission, which recommended that the plan be approved. There are no outstanding conditions. It's a revised lot line plan. The developer provided a revised Land Development Plan that had been previously approved and will be reviewed again.

**MR. GURRERI MOVED TO APPROVE SUBDIVISION 06-01, MARKET STREET COMMONS, LOT 5. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-05-20 – Heritage Hills Pavilion – Action**

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- LUCIANI** Mr. Luciani stated that Heritage Hills Associates proposed to construct a pavilion at the south side of the parking lot. The pavilion would provide for golf cart parking beneath it and would be used for golf course functions year round. The applicant had requested a number of waivers, documented in a March 9, 2006 memorandum concerning the plan. Some concern had been expressed about noise with the adjoining property. Adequate buffering has been and will be provided between the properties, and noise issues should be resolved. Staff recommended approval of the plan as presented with the waivers and conditions as stated in the memorandum. Mr. Luciani stated that the Heritage Hills representative, Matt DeRose, and Gordon Brown's representative, John Runge, were present to respond to questions.
- GURRERI** Mr. Gurreri asked whether the facility would be used for storage.
- LUCIANI** Mr. Luciani responded that it would be used for both storage and entertainment. The second floor will be used for the entertainment area. The only noise issue would be music playing; however, the distance from the property line and the number of pine trees between the two locations seemed to be adequate. Plenty of vegetation has been provided between the facility and the property line.
- HOLMAN** Mr. Holman noted that the white tent will be removed.
- RUNGE** Mr. Runge explained the layout of the pavilion and area to the Board.
- HOLMAN** Mr. Holman stated that no noise complaints had been received within the last year. Mr. DeRose and the neighbor worked together and the problem had been resolved.
- RUNGE** Mr. Runge noted that the plan had been presented to York Township and had been approved.
- BOWMAN** Mr. Bowman asked whether the parking requirements were met.
- RUNGE** Mr. Runge responded that he was correct; requirements had been met and had been documented on previous plans as well.
- LUCIANI** Mr. Luciani stated that the Planning Commission had been concerned about landscaping, and the requirements had been met.
- RAUSCH** Solicitor Rausch commented that the tent will be abandoned and asked whether it will be noted on the plan.
- RUNGE** Mr. Runge responded that at this time just the framework of the tent is standing.

**HOLMAN** Mr. Holman asked whether the area of the tent would be returned to green space.

**RUNGE** Mr. Runge responded that currently it is a gravel area.

**RAUSCH** Solicitor Rausch asked how soon the gravel would be returned to green space.

**DEROSE** Mr. DeRose responded that he had not planned to do anything with the gravel area pending future planning. It had been slated to be parking at some point. He noted that it is behind the house owned by Heritage Hills.

**RAUSCH** Solicitor Rausch asked when the actual frame will be removed.

**DEROSE** Mr. DeRose indicated that as soon as the pavilion is ready, they will remove the frame. He projected that by mid-July.

**RAUSCH** Solicitor Rausch suggested a condition that the tent will be removed within six months.

**DEROSE** Mr. DeRose confirmed his agreement.

**MR. GURRERI MOVED TO APPROVE LAND DEVELOPMENT 05-20, HERITAGE HILLS PAVILION, WITH THE FOLLOWING WAIVERS:**

- **WAIVER OF SALDO §22-304 – PRELIMINARY PLAN;**
- **WAIVER OF SALDO §22-305.2.S – ADJACENT STREETS;**
- **WAIVER OF SALDO §22-305.3.A – FEASIBILITY STUDY OF SEWER AND WATER;**
- **WAIVER OF SALDO §22-411 – LANDSCAPING;**
- **CONDITIONED TO REMOVE TENT WITHIN SIX MONTHS OF APPROVAL.**

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

**8. COMMUNICATION FROM SUPERVISORS:**

**GURRERI** Mr. Gurreri indicated he was glad to be back in the Township. He reported that the Local Government Advisory Committee changed the night of its full committee meeting to a Tuesday night.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that the case is proceeding for Concord Road/Norfolk Southern settlement. Some final documentation is needed from Norfolk Southern. Solicitor Rausch provided a detailed explanation of the next steps.

**HOLMAN** Mr. Holman added that the funds are in an escrow account and as soon as the documents are signed, a copy of the designs for the railroad crossing and Concord Road will be provided. There's a 20-day waiting period. Once that waiting period/comment period is up, an order will be sent authorizing the Township to proceed with the bidding. Everything is on schedule; environmental work is being completed as the last portion on Phase I.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman noted that the authorization to advertise an Ordinance for abandonment of a portion of Stoneridge Road will be added to the Agenda. Mr. Gurreri had provided Mr. Holman with a copy of a PODS Ordinance for temporary storage. The Dog Park insurance review of the two alternative sites was completed. The gentleman who reviewed the site was very much in favor of dog parks. Mr. Holman stated that with regard to the Development Authority, the IFIP contract had been received and he and the Solicitor had reviewed it. It will be executed and forwarded back to the state.

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

**A. Ordinance No. 06-02 – Placement of Stop Signs on Marion Road, east and westbound at the intersection with Ridge Avenue.**

**MR. DVORYAK MOVED TO APPROVE ORDINANCE 06-02, PLACEMENT OF STOP SIGNS ON MARION ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Enter into Indemnification and Hold Harmless Agreement with Timothy F. Pasch re: Market Street Commons; Lot 5.**

**BOWMAN** Mr. Bowman noted that this is the first one of this type he had seen.

**HOLMAN** Mr. Holman responded that it had to do with the abandonment of a very small sliver of property. Mr. Pasch is resolving the matter, but the Hold Harmless Agreement protects the Township. The Ordinance that he had requested for advertisement actually flows into that.

**MR. DVORYAK MOVED TO GRANT AUTHORIZATION TO ENTER INTO AN INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH TIMOTHY F. PASCH REGARDING MARKET STREET COMMONS, LOT 5. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise Ordinance for “No Left Turn” at the intersection of Green Spring Road and Mt. Rose Avenue.**

**HOLMAN** Mr. Holman stated that the County had approved the request of the Township for a No Left Turn lane. A traffic and engineering study was completed, and in order to put a No Left Turn sign up, an Ordinance is needed.

**MR. GURRERI MOVED TO AUTHORIZE ADVERTISEMENT OF THE ORDINANCE FOR NO LEFT TURN AT THE INTERSECTION OF GREEN SPRING ROAD AND MT. ROSE AVENUE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Authorization to Advertise Ordinance to Vacate a Portion of Stone Ridge Road.**

**MR. GURRERI MOVED TO AUTHORIZE ADVERTISEMENT OF AN ORDINANCE TO VACATE A PORTION OF STONE RIDGE ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

- A. Board of Supervisors Public Hearing – February 23, 2006**
- B. Board of Supervisors Regular Meeting – February 23, 2006**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING FEBRUARY 23 AND THE REGULAR MEETING OF FEBRUARY 23, 2006. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. GURRERI ABSTAINED AS HE WAS NOT PRESENT.**

**13. OLD BUSINESS:**

**A. Dog Park: Discussion on Application for Grant and Location of Site.**

**HOLMAN** Mr. Holman stated that during the February 23<sup>rd</sup> meeting a presentation had been made with regard to the proposed Dog Park. An insurance review also had been done for two alternative sites. There are some concerns with both sites. He requested that the Board determine a site location based on the presentation.

**BISHOP** Mr. Bishop recalled a general consensus that the east site was slightly better.

**HOLMAN** Mr. Holman responded that the east site was recommended as slightly better. Mr. Holman’s concern with the east site was the parking situation.

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**GURRERI** Mr. Gurreri noted that there had been some discussion about the east site to be used for a calming area with pavilions. He thought the west site was better for the dog park due to the parking area. He stated that it is an area that is somewhat hidden from the play area, and barking dogs wouldn't be a problem due to the traffic noise.

**HOLMAN** Mr. Holman stated that a recommendation as to the site would allow the Township to apply for a grant for one or the other.

**BISHOP** Mr. Bishop asked whether the ability to change the site would be available if a grant was received.

**HOLMAN** Mr. Holman responded that it could be changed if there were compelling reasons.

**BISHOP** Mr. Bishop commented that he would have been happier had a Master Park Plan revision been done before any decisions were necessary to change the park. That timing would have been far superior.

**GURRERI** Mr. Gurreri commented that he thought it would be great to have the Dog Park at the park. People come with their families and if they have a dog then they can be with the family. The Master Plan for the park probably should have been looked reviewed as it is a new entity to the park.

**BISHOP** Mr. Bishop stated that the idea of revising the Master Plan was that there are two new properties that were acquired which were not part of the original Master Plan. He thought the Board had decided to update the plan since the geography had changed with the ownership of those two parcels and determine the best use of those two parcels. He would prefer to see the big picture prior to making a final decision.

**HOLMAN** Mr. Holman noted that they had been working on the Dog Park for a period of about two years. There is some grant funding available, which will move the project forward more quickly.

**BISHOP** Mr. Bishop stated that what the Board is being asked to do is to decide where the park should be in order to submit an application for a grant.

**MR. GURRERI MOVED TO AUTHORIZE TO SUBMIT GRANT DOCUMENTS FOR A DOG PARK ON THE WEST SIDE LOCATION IN THE PARK. MR. BOWMAN WAS SECOND. MR. GURRERI AND MR. BOWMAN VOTED IN FAVOR; MR. DVORYAK AND MR. BISHOP VOTED AGAINST. THE MOTION DID NOT PASS AND NO ACTION WAS TAKEN.**

**MR. DVORYAK MOVED TO GRANT APPROVAL TO APPLY FOR A GRANT BASED ON A LOCATION ON THE EAST SIDE OF THE PARK. MR. BISHOP WAS SECOND.**

**DVORYAK** Mr. Dvoryak commented that the Board could opt to not accept the grant.

**BISHOP** Mr. Bishop noted that the whole project could be pushed down the road a year.

**BOWMAN** Mr. Bowman asked how much the grant will cover.

**HOLMAN** Mr. Holman responded it would cover up to 50% of the improvements of the park. In the past the Township had not accepted grants that have been awarded because they were not in the best interest of the Township. There is normally 18 months to two years available to complete the project.

**GURRERI** Mr. Gurreri asked for a cost comparison for the east versus the west side.

**HOLMAN** Mr. Holman responded that the initial cost estimates are about the same.

**GURRERI** Mr. Gurreri noted that the east side is the only place in the park with a nice shaded area and it's the only place in the park for a calming area. There are no trees on the west side along with the addition of the road, which would be a noisy place to have a picnic.

**HOLMAN** Mr. Holman indicated that there had been some discussion of moving the calming area to the north east quadrant of the park.

**MESSRS. DVORYAK, BOWMAN AND BISHOP VOTED IN FAVOR; MR. GURRERI VOTED AGAINST. MOTION CARRIED 3/1.**

**HOLMAN** Mr. Holman noted that there may be a compelling reason to move the location.

**BISHOP** Mr. Bishop commented that perhaps the new Master Plan would suggest a location.

**HOLMAN** Mr. Holman indicated that would be a compelling reason.

**14. NEW BUSINESS:**

**A. Donation of Unclaimed Bicycles to Pedals for Progress**

**BISHOP** Mr. Bishop stated that documentation had been provided to the Board by Chief Eshbach regarding a bicycle donation to Pedals for Progress. Mr. Bishop commented that this donation had been made previously. He asked how many years the donation had been made.

**ESHBACH** Chief Eshbach responded it is the second year for the request.

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**HOLMAN** Mr. Holman added that Pedals for Progress is a very responsible and reputable organization.

**BOWMAN** Mr. Bowman asked how many bikes were available.

**ESHBACH** Chief Eshbach responded there were about 35 or 36.

**Consensus of the Board was agreement to donate unclaimed bicycles to Pedals for Progress.**

**15. ADJOURNMENT:**

**BISHOP** Mr. Bishop adjourned the meeting at 8 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**FEBRUARY 23, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, February 23, 2006 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  
George Dvoryak  
Mike Bowman

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
John Luciani, Civil Engineer  
Dori Bowders, Manager of Administrative Operations  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the Public Hearing to order at 6:30 p.m. as advertised under the Pennsylvania Liquor Laws.

**2. NEW BUSINESS:**

**HOLMAN** Mr. Holman stated that a request had been received for the transfer of a liquor license to be placed at the York Town Center. The application is for a Liquor License No. R-18247 for Longhorn Steakhouse. He introduced Attorney Stanley Wolowski.

**WOLOWSKI** Attorney Stanley Wolowski, Liquor License Attorney for Rare Hospitality International, Inc. t/a Longhorn Steakhouse, stated that they would like to open a restaurant in Springettsbury Township in the York Town Center. He stated that also present was Brett Masschak, who will serve as Site Manager for Longhorn Steakhouse Restaurant and is thoroughly familiar with all aspects of the operations.

Attorney Wolowski referred to several items/exhibits including the menu, photographs of similar restaurants in operation, and site plan of the proposed location at the York Town Center. He stated that Rare Hospitality International, Inc. is the company that will own and operate the Longhorn Steakhouse Restaurant. It is a public company, stock traded on the New York Stock Exchange, headquartered in Atlanta, Georgia and owns, operates and franchises three different types of national chain

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steakhouse restaurants. There are 244 Longhorn Steakhouse Restaurants currently operating in the U.S. located primarily in the eastern portion of the US; 10 currently operating in Pennsylvania. The restaurant concept is full-service, casual dining featuring steaks and offering additional entrée items. The sale of alcohol is served only as a complement to a meal. The restaurant will be approximately 5600 square feet with a small bar area and large dining area seating 188 patrons at one time. Focus will be on the sale of food with sales figures showing approximately 90% from food and 10% from alcohol. There will be no live entertainment, DJ's, etc. and no beer sold to go. The location at the York Town Center is a commercial area and should not interfere or disrupt the lives of any Springettsbury Township residents. Hours of operation will be Sunday through Thursday 11 a.m. to 10 p.m. and Friday and Saturday 11 a.m. to 11 p.m. Employees are well trained regarding the responsible sale or service of alcoholic beverages. None of the 10 Longhorn Steakhouse Restaurants had ever been cited by Pennsylvania State Police Bureau of Liquor Control Enforcement for any violations. Attorney Wolowski respectfully requested adoption of the Resolution approving the transfer of license into Springettsbury Township.

**SCHENCK**

Chairman Schenck stated that his presentation had been excellent. He asked whether anyone from the public had any questions or concerns. Hearing none, he stated that the item appeared on the Agenda for the Regular Meeting at 7 p.m. for consideration/approval.

**3. ADJOURNMENT:**

**SCHENCK**

Chairman Schenck adjourned the meeting at 6:45 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 23, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 23, 2006 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  
Mike Bowman

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**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, Human Resources  
Lt. Dave Trott, Police Department  
David Wendel, Director of Parks and Recreation  
Jean Abrecht, Stenographer

**1. CALL TO ORDER:**

**SCHENCK** Chairman Schenck called the meeting to order at 7:00 p.m. He announced that Nick Gurreri would not be present as he was out of town.

**A. Opening Ceremony**

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck announced that an Executive Session was held following the last public meeting to discuss personnel and real estate issues.

**3. COMMUNICATION FROM CITIZENS:**

**STUHRE** Mr. Charles Stuhre, 3680 Trout Run Road, thanked the Public Works Department for the improvements done to the shoulders and ditches on Trout Run Road, which he greatly appreciated.

Mr. Stuhre asked about progress toward cleaning up the clutter at the Glades Auction.

**RAO** Mr. Rao responded that he had sent the Zoning Inspector to the site for a visit. They had asked the owners to clean up the area.

**STUHRE** Mr. Stuhre stated that it still looked pretty bad with a boat still sitting there and the tarps all over. He added it was not as well kept as it had been under the previous owner.

**RAO** Mr. Rao stated that he had given the owners an opportunity to clean up the property. As the weather improves the Zoning Inspector will monitor the situation.

**SCHENCK** Chairman Schenck asked whether they had observed what appeared to be enforceable violations.

**RAO** Mr. Rao responded that it did not appear to be terribly junky, but tarps could be covering debris. He added that it was not a health hazard but more of an esthetics issue.

**STUHRE** Mr. Stuhre commented that if a resident had that type of property, they would be cited to clean up the yard.

**RAO** Mr. Rao responded that he would put them on notice.

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

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

**SCHOBER** Mr. Schober reported that a meeting was held with staff to review the right-of-ways to finalize the Barwood Road project. He and Mr. Holman will visit individual homeowners to get the rights-of-way signed and obtain the joint permitting. When the joint permitting is received, the work will begin. No problems are anticipated.

Long-Range Sewer Planning mapping is done and the electronic copy of that mapping will be sent to Geomatica as part of the website for easy access.

The NPDES Permit Renewal application was completed and reviewed with staff. It will be released early during the week of February 27<sup>th</sup>.

The design of the Pistol Range Improvement is about 90% complete. A site visit was conducted on February 22<sup>nd</sup>. They are working on the plan and execution of the project.

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

**LUCIANI** Mr. Luciani reported several items with regard to highway improvements. Mr. Holman had received numerous requests for right-of-way information on Mt. Zion and Deininger. He is working diligently to keep PennDOT's consultant and PennDOT on track for those improvements.

Mr. Luciani discussed the Eastern Boulevard Traffic Calming issue with York County Planning and communicated the staff's and Township official's opinion that Eastern Boulevard is not a rotary but more of a neighborhood traffic circle and preferred to see a stop condition in one direction or another. Mr. Holman sent letters with specific request for evaluation of a stop sign relocation at Eastern Boulevard, as opposed to signaling for the circles. Documentation is on record indicating that it should not be "yield" but rather should be a "stop" condition, about which the Board had some concerns.

Mr. Luciani met with Mr. Brassler concerning long-term plans for the Caterpillar tract. He has a potential retailer interested in the Memory Lane portion, which might change some things significantly. He discussed Concord Road and the connection to Concord Road from Donnelley, as well as the traffic circulation along Memory Lane. Mr. Brassler indicated that he will submit plans within the next month.

Mr. Luciani provided a brief PowerPoint presentation with overall site plans for Safe Routes To School. In Haines Acres near East York Middle and East York Elementary School to place sidewalks around the 1950's homes it would cost millions of dollars. The County scaled the Township's plan back and voted to act on \$400,000 worth of improvements. Mr. Luciani thought it was a good percentage of their total allocation and is similar to what was applied to for Central High School. The County's condition for sidewalk enhancements along Haines Road is to place those sidewalks on the outskirts of the right-of-way

Mr. Luciani reported that Senator Spector, through YAMPO, had earmarked funds for traffic improvements for Concord Road. In addition, Representative Stan Saylor had complimented Springettsbury Township as one of the most aggressive communities when it came to traffic enhancements. He was advised that the Concord Road project will become a relief valve for Market Street. One of the problems upon entering and exiting Concord Road is at Northern Way, which Mr. Gurreri had pointed out many times. The southbound right turn movement on to Market Street is a severe pinch point right-of-way, and the County endorsed that as an area that should be highlighted for transportation enhancements. So they slated that as one of the top candidates and will provide the Township with a letter of recommendation for these earmarked funds to be used in that area. There is some grant money available as well.

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**HOLMAN** Mr. Holman indicated he planned to send a letter in support to the County for the Haines Road sidewalk project as Phase I. For the Northern Way project the application is being completed for Senator Spector and should be submitted within the next week. The project does meet very significant grant criteria.

**BOWMAN** Mr. Bowman commented that the sidewalks would be on the west side of the trees on Haines Road.

**LUCIANI** Mr. Luciani responded that they would attempt to avoid taking the trees for sidewalks. He added that there might be enough right-of-way that goes back behind the trees. Mr. Luciani reported that the short-term widening for Haines Road does not take the trees; however, the long-term plan going into a five-lane section may cause the loss of the trees. The state would not want the sidewalks relocated as part of a road expansion program.

**SCHENCK** Chairman Schenck asked about the time line on the project.

**HOLMAN** Mr. Holman responded that construction must be finished by 2008. He added that he wanted to be clear in his response to the County that, as long as the money is earmarked it would be acceptable; however, not if a delay is caused by their environmental investigation.

**LUCIANI** Mr. Luciani reported that a meeting is scheduled for March 25<sup>th</sup> with Central High School to discuss three items: Safe Routes To School, road improvements on Mt. Zion and Sherman Street and also the No Parking Ban. Mr. Lauer attended a meeting last July with PennDOT to talk about Safe Routes to School. The environmental clearance from that to go forward with the project has not been received and has taken longer than it should.

**HOLMAN** They will stay on track with this one. They're giving us a deadline.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 23, 2006**

**MR. DVORYAK MOVED TO APPROVE PAYABLES AS DETAILED IN THE LISTING OF FEBRUARY 23, 2005. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Authorization to Purchase Public Works Dump Truck through PACC Contract – Amount Not to Exceed \$83,283**

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**HOLMAN** Mr. Holman stated that the funding is available for the dump truck in the 2006 capital project budget. This will replace one of the oldest dump trucks and bring the dump truck fleet up to speed.

**SCHENCK** Chairman Schenck asked whether the truck would be purchased through the state contract.

**HOLMAN** Mr. Holman responded that he was correct, the PACC.

**MR. BISHOP MOVED TO AUTHORIZE THE PURCHASE OF PUBLIC WORKS DUMP TRUCK IN AN AMOUNT NOT TO EXCEED \$83,283. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

- A. LD-05-18 – Market Street Commons Add-On Lots – Time Extension (6/9/06)**
- B. SD-05-13 – Market Street Commons Add-On Lots – Time Extension (6/9/06)**
- C. LD-05-17 - CHR Corp (Rutters) – Time Extension (6/9/06)**

**RAO** Mr. Rao reported that there are outstanding comments and the developer asked for an extension. Mr. Rao asked for an additional extension, not included in the Agenda, for the Rutters development.

**HOLMAN** Mr. Holman added that the Rutter's item had been noted in his Supplemental report. Rutter's had requested an extension to June 9, 2006. They are waiting for receipt of the PennDOT review and comments to the Planning Commission. The current action date is March 8<sup>th</sup> so they requested an extension to June 9<sup>th</sup> in order to receive the needed documents from PennDOT.

**MR. DVORYAK MOVED TO ACCEPT THE GRANT OF THREE TIME EXTENSIONS, LD-05-18, SD-05-13 and LD-05-17. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

Note for the Record: Agenda Item 7B reflected the number LD-05-13 – Market Street Commons, which actually should have been documented as SD-05-13.

**8. COMMUNICATION FROM SUPERVISORS:**

**BOWMAN** Mr. Bowman reported that he had received a call from neighbors complaining about the snow plows during the Sunday snowfall. Some damage had been done to mail boxes and street signs; the complaint was the driver was driving too fast.

**HOLMAN** Mr. Holman responded that he had visited the neighborhood with Mr. Lauer the next day. The residents were advised that the Township would do the repair work in the spring. Mr. Lauer met with his drivers.

**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 reported that he had provided a supplemental report with regard to the Rutter's Store extension. Under Old Business there will be a Dog Park presentation by Dave Wendel and Andy Mears of YSM. Mr. Holman reported an item concerning postcards to be mailed out by Central School. A public meeting will be held with the residents at the school.

**SCHENCK** Chairman Schenck asked how it was decided to whom the postcards should be sent.

**HOLMAN** Mr. Holman responded that the postcards would be mailed to the residents. A meeting was held with them and an area selected.

**LUCIANI** Mr. Luciani added that it would included those who are within Safe Routes To Schools, along Mundis Mill Road, along the detour, Sheridan Road. They were selected using the National Geomatica which creates mailing cards and will go to some 400 residents.

**SCHENCK** Chairman Schenck commented that he had two residents in one neighborhood who had questioned what was being planned; many of them come down Trout Run and up Sherman.

**LUCIANI** Mr. Luciani stated that he had reviewed that and seen the sparseness of the property lines and elected to remove those from the mailing. In addition to the postcards, this will be advertised on the Township and the Central High School website.

**HOLMAN** Mr. Holman offered to review the distribution with Mr. Luciani to be sure of proper coverage.

**STUHRE** Mr. Stuhre commented on the residents along Druck Valley Road, Mundis Mill Road, Mt. Zion Road and Deininger Road. He noted that many would be impacted by changes. He suggested placing an item in the newspaper.

**HOLMAN** Mr. Holman stated that he would discuss the subject with the school as it is a cooperative effort.

**HOLMAN** Mr. Holman reported an error made during the January meeting. A reimbursement was made for a Business Privilege Tax Overpayment to Eichelberger Construction Co., Inc. However, the name was supposed to be Walton & Company. Eichelberger happened to be the name of the court case.

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Mr. Holman stated that he will make that adjustment so that the check will be made out properly. There is no change in amount.

**DVORYAK** Mr. Dvoryak questioned a document concerning the non-arbitrage certificate. It showed \$100,000 deduction in the sale proceeds for something called a “minor portion.” He asked Mr. Holman to educate him on the minor portion.

**HOLMAN** Mr. Holman responded that he had not reviewed all the documents; however, he will asked Mr. Carlucci exactly what the minor portion included; closing is March 15<sup>th</sup>.

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

**B. Resolution No. 06-42 – Accepting Dedication of Certain Rights-of-Way: Greystone Manor.**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 06-42 ACCEPTING DEDICATION OF CERTAIN RIGHTS-OF-WAY: GREYSTONE MANOR. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-43 – Additional Street Lights – Wallingford Development**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 06-43, ADDITIONAL STREET LIGHTS, WALLINGFORD DEVELOPMENT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution 06-44 – Transfer of Liquor License – Longhorn Steakhouse**

**SCHENCK** Chairman Schenck noted that a Public Hearing regarding the liquor license transfer had been held earlier during the evening, this date.

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-44, TRANSFER OF LIQUOR LICENSE, LONGHORN STEAKHOUSE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Authorization to Enter into Development Agreement with York Town Center**

**SCHENCK** Chairman Schenck noted that the Agreement had been approved by the Development Authority earlier during the evening, this date.

**MR. DVORYAK MOVED TO APPROVE AUTHORIZATION TO ENTER INTO THE DEVELOPMENT AGREEMENT WITH YORK TOWN CENTER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. ACTION ON MINUTES:**

**A. Board of Supervisors Regular Meeting – February 9, 2006**

**MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING FEBRUARY 9, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. OLD BUSINESS:**

**SCHENCK** Chairman Schenck stated that an additional item had been added to the Agenda for a brief presentation concerning the proposed Dog Park. He asked Mr. Holman to explain the need for the timing of this presentation.

**HOLMAN** Mr. Holman responded that it related to a grant application, which must be submitted by the end of March. The presentation will provide the Board with an opportunity to review and learn what the Dog Park Committee had recommended through the Parks and Recreation Board. By the next meeting a decision could be made, which will provide enough time to submit a grant application for the project.

**A. Dog Park**

**WENDEL** Mr. Wendel of the Parks and Recreation Department, along with Mr. Andy Mears of YSM provided an overview of the progress made toward the development of a Dog Park in Springettsbury Township. Some of the items discussed were:

- Length of process – 3-1/2 years
- Identifying the need for this legitimate user group.
- Only 2 dog parks in south central Pennsylvania: Lower Allen Township and Lancaster County.
- Website survey with 300 responders – overwhelming majority in favor of developing Dog Park in the Township.
- Other sources: Gallup Pole, York County Treasurer and National Pet Ownership Data.
- 2005 Dog Park Advisory Committee Developed. Four months later, a recommendation made to the Board.
- Site Analysis – Maximum 5 acres; between 2 and 5 acres is sufficient.
- Concerns with sites: traffic, noise, distractions, parking
- Usage Monitor – Use registration; fees; vaccinations, supervision.
- Recreation Program – Grooming, obedience workshops
- Identified Springettsbury Park East (3.1 acres) as best potential site.
- Potential development of Springettsbury Park in the future.

**DVORYAK** Mr. Dvoryak asked about liability issues and how to overcome some of those associated with a dog park.

**WENDEL** Mr. Wendel responded that they had addressed that. In his research of dog park user groups, they have never had one claim filed. They had further discussed it

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

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APPROVED**

with the risk manager and they had indicated it would not affect our insurance basically because of the Township's track record in providing safe, quality facilities. They did not foresee any problems. They felt strongly that the project would be developed properly. Rules and regulations would be enforced.

**MEARS** Mr. Mears added that he knew of a website of Attorney Ken Smith, whose entire law practice is based on representing victims of dog bites. He had a section on dog parks. The same risks apply in the park as out of the park or anywhere else.

**HOLMAN** Mr. Holman noted that they will be meeting with the risk management consultant again to review these. There is not a significant impact to our insurance. However, Penn Prime will come and walk the site and provide an opinion. They have been kept informed through the process. During the heaviest use time with fire works, etc. that area will be shut down.

**WENDEL** Mr. Wendel added that he had observed occasions during his dog park visits where there were aggressive dogs. The people who use and operate the dog parks are very responsible dog owners and control their dogs appropriately.

**SCHENCK** Chairman Schenck commented for clarification that the Board would be asked to endorse the location at the next meeting.

**HOLMAN** Mr. Holman responded that based on additional research by Teri Markley, it was recommended that a specific location be identified for the Dog Park. It would give a little more edge towards applying for grant funding.

**BISHOP** Mr. Bishop asked how the timing fits into work on the revised Master Plan.

**HOLMAN** Mr. Holman responded that it is well ahead of schedule with the revised Master Plan. Every park and open space is included.

**WENDEL** Mr. Wendel stated he had discussions with Ann Yost and KSK and there will not actually be a Master Plan done with this park.

**HOLMAN** Mr. Holman added that there would be a future use and what else could be placed in this park, or needs for this park. It will be a type of revision to the original Master Plan to this park as part of this study. He added that a large percentage of the work had already been done.

**WENDEL** Mr. Wendel stated that the Dog Park Advisory Committee will present to the Board of Supervisors a proposal outline to include, not only the location, but also maintenance needs, design, and fund raising efforts to maintain the area. Those will all be addressed in the proposal that will be submitted to the Board.

**RAUSCH** Solicitor Rausch asked about some of the items on the list of rules.

**WENDEL** Mr. Wendel responded that there were general rules, which would be found at all parks. There was some age restriction and at Lower Allen Township the age was six and over. Not more than two people could accompany one dog into the park. The rules would depend upon the size of the park. Voice control and picking up waste were very important.

**MEARS** Mr. Mears added some additional rules: dogs must be spayed or neutered; number of dogs one owner can bring would be limited.

**RAUSCH** Solicitor Rausch noted that based on the size of Springettsbury East, how many dogs could be accommodated at one time?

**WENDEL** Mr. Wendel responded that the Lower Allen park is an acre, and they have had up to 60 dogs at one time.

**RAUSCH** Solicitor Rausch asked whether the police department would be responsible for enforcing the rules.

**WENDEL** Mr. Wendel responded that the facility would be self-policing. There would be specific rules added to the ordinance; however, he viewed it just like Springettsbury Park. There had been very little vandalism and the primary reason is because it's self-policing. There is a high volume of people in the park and that deters vandalism and criminal activity. The same would apply to a dog park, which will be very popular and have heavy usage. That will be a greater deterrent for violating the rules.

**SCHENCK** Chairman Schenck thanked Mr. Wendel and Mr. Mears for their presentation.

**H. NEW BUSINESS:**

**A. County of York's Request for Waiver of Permit Fees for 911 Center**

**SCHENCK** Chairman Schenck indicated that Mr. Holman advised he had previously denied that request. This is an official request.

**BISHOP** Mr. Bishop stated that the fees are entirely reasonable. If they weren't reasonable this Board would not have enacted them in the first place.

**BOWMAN** Mr. Bowman noted that the County was aware of the fees going into the project.

**SCHENCK** Chairman Schenck recalled that the fees were paid for the prison.

**HOLMAN** Mr. Holman confirmed that the Board did not waive fees for the prison.

**Consensus was agreement not to waive Permit Fees.**

**HOLMAN** Mr. Holman stated he would prepare an appropriate response.

**B. Acknowledge Receipt of January 31, 2006 Treasurer's Report**

**MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE JANUARY 31, 2006  
TREASURER'S REPORT. MR. BOWMAN WAS SECOND. MOTION  
UNANIMOUSLY CARRIED.**

**HOLMAN** Mr. Holman thanked John Luciani and Teri Markley for their outstanding presentation at YAMPO. Relationships with the York Area Municipal Planning Organization are improving with the County.

**I. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:30 p.m.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**FEBRUARY 9, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 9, 2006 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  
Mike Bowman

**MEMBERS NOT**

**IN ATTENDANCE:** Nick Gurreri

**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, Human Resources  
Dave Eshbach, Police Chief  
David Wendel, Director of Parks and Recreation  
Jean Abreght, Stenographer

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

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

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS**

**SCHENCK** Chairman Schenck reported that an Executive Session had been held following the last Regular meeting to discuss real estate and personnel matters. He announced that Mr. Gurreri would not be present as he was on vacation.

**3. COMMUNICATION FROM CITIZENS:**

There were no citizen comments.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported that work continued on improvements to the police pistol range. Preliminary plans were reviewed with Chief Eshbach. The turf backstop will be raised by about six feet for better coverage; fencing will be added around the entire area. A small slab will be added for tables used for training, along with a small room to store equipment. They are attempting to furnish electricity, and checking for prices to get that work done.

**SCHENCK** Chairman Schenck commented that it would be good for the Supervisors to have a tour of the area when the work is completed.

**ESHBACH** Chief Eshbach responded that it would be good to see it before and after the work is completed.

**HOLMAN** Mr. Holman recommended they see it before.

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

**LUCIANI** Mr. Luciani reported that the signal at Cinema Drive is operational in full cycle. He and Mr. Holman met with York County Planning Commission traffic personnel to discuss traffic improvements and engineering studies to be performed free of charge by the County within the Township. One important and new item discussed concerned Eastern and Kershaw Street. The new manual for traffic control devices does not provide stop signs; it now has yield signs. In approaching a rotary, yield signs are installed. In working with the Fire Chief, the biggest fire engine will drive over the mountable curb. Work will continue to get through the details and provide the Board with sketches. Mr. Luciani and Mr. Holman will be meeting with the developer for further discussion of the traffic islands, including the financial portion. There should be a conclusion by the next Board meeting for the streetscape measures at Kershaw and Eastern.

**SCHENCK** Chairman Schenck commented that the Board needed to evaluate the situation when the aim to do good is actually moving in the wrong direction. He viewed the yield signs as opposed to stop signs as potentially creating a public safety hazard.

**DVORYAK** Mr. Dvoryak noted that, if the yield signs are a requirement, the Board would have no choice.

**LUCIANI** Mr. Luciani stated that it had been news to both he and Mr. Holman.

**HOLMAN** Mr. Holman stated that they had intended to reverse the stop signs during the work being done on the island.

**BOWMAN** Mr. Bowman noted a similar situation in an area around Newark, Delaware. There are no corners and trucks can navigate through the corner circle. There are yield signs there, and traffic has to move through slowly.

**LUCIANI** Mr. Luciani expressed some concern concerning traffic flow and the geometrics of the circle. He indicated he would provide the geometry by the next meeting. He added that the design had not been completed, and the Board would have to make the decisions.

Mr. Luciani reported a situation concerning trucks westbound on Eastern Boulevard and the difficulty they will have if they continue to Edgewood Road to get to Mt. Zion Road. A truck ban on Eastern Boulevard is being reviewed and will require an ordinance; in addition, the matter of No Left Turns from Greensprings Road also will require an ordinance.

**HOLMAN** Mr. Holman will follow up with Mr. Bupp.

**LUCIANI** Mr. Luciani provided a PowerPoint presentation of the preliminary design plan for Mt. Rose Avenue. He reported that the road will be widened to five lanes, two in each direction with a center turn lane. The widening section begins at Haines Road and extends to the intersection of Old Dutch Lane. In addition to this project, the 24/124 project is being planned as well.

**HOLMAN** Mr. Holman indicated they were suggesting they'd like to do both at the same time.

**LUCIANI** Mr. Luciani continued with the PowerPoint presentation pointing out locations along the roadway. Further up Mt. Zion the houses from the 1950's are historical resources. One item discussed with PennDot is the Board's position on sidewalks in the Township. If there are no sidewalks there now and the Township requires sidewalks to be installed, the cost of those sidewalks will be the Township's responsibility. One additional item he pointed out was the area of Hartford Road. With the five lanes the turning movements will be more difficult; however, it will provide for a safer place for a vehicle to make a left turn.

**SCHENCK** Chairman Schenck asked about the time line and whether it would be on the 12-Year Plan.

**LUCIANI** Mr. Luciani responded that it could be within a three to four-year range.

**HOLMAN** Mr. Holman added that the question for the Board is that the right-of-way showing on the plan does not include sidewalks, which would necessarily

widen that right-of-way, and which determination the County needed to have. They will replace existing sidewalks.

**SCHENCK** Chairman Schenck responded that the Board would have to consider that question. He knew that during the last widening of that roadway, the residents fought them taking all the guide rails because their properties were not protected. They finally realized it was fruitless. Chairman Schenck suspected that they would be very vocal once again. He added that the Board had tried to help but was unsuccessful.

**LUCIANI** Mr. Luciani added that there had been some litigation with the state concerning some storm water problems in Haines Acres. With widening there will be additional impervious. He was not aware of the guide rail situation. The cost of the sidewalks will be significant if it meant taking a house.

**SCHENCK** Chairman Schenck wondered where they would apply the costs; whether it would be the whole taking or just the sidewalk.

**LUCIANI** Mr. Luciani responded that those answers would have to come later. He wondered if PennDot would grade a flat spot so that if the Township received some grant money they could add the sidewalks.

**HOLMAN** Mr. Holman stated that with the widening, he would like to draft a letter back to PennDot with concerns, such as safety guide rails, sidewalks, grades, and if the Board had additional concerns, they would email them to him to include in this letter. This is preliminary, and they are looking for input from the Board.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of February 9, 2006**

**MR. DVORYAK MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN THE LISTING OF FEBRUARY 9, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Bid Award – Exclusive Rights to Promote and Advertise Summer Concert Series and Saturday in the Park – Susquehanna Radio Corp. (Base Bid \$4,500)**

**HOLMAN** Mr. Holman provided some background information concerning the contract. They will provide the year-long sponsors; the Township will sell the presenting sponsor for each concert. One had already been sold. They

would like to use the radio station because they do provide personnel and help the day of the concert and they provide the advertising that really moves it forward. In the old contract the Township received 13%, then 17-1/2% and then 21%. Mr. Holman did not think last year it was over the 13%.

**SCHENCK** Chairman Schenck asked what the net revenue was compared with the previous one.

**HOLMAN** Mr. Holman responded that \$10,500 was the minimum bid, and slightly over \$20,000 was generated for the summer concert series.

**SCHENCK** Chairman Schenck asked specifically what they had generated.

**WENDEL** Mr. Wendel responded that it was an additional \$6,000.

**BISHOP** Mr. Bishop asked about the price for an individual concert sponsorship.

**WENDEL** Mr. Wendel responded it was \$1,500 for presenting sponsors.

**BISHOP** Mr. Bishop asked for how many concerts.

**WENDEL** Mr. Wendel responded it would be 17.

**BISHOP** Mr. Bishop commented that there is potential to do much better.

**WENDEL** Mr. Wendel indicated that they have a real good start at this point and perceived that it will exceed what was done last year in sponsorships.

**HOLMAN** Mr. Holman added that they will be promoting the concerts, so there will be plenty of advertisement for the sponsors.

**BISHOP** Mr. Bishop questioned whether they would provide any kind of physical programs this year.

**WENDEL** Mr. Wendel responded that they would not; the Township will take care of all the ad sponsors, which will be placed in the Township's concert program.

**BISHOP** Mr. Bishop asked where Saturday in the Park would fit.

**WENDEL** Mr. Wendel responded that their role with Saturday in the Park just will be promotion. They will not seek any sponsorships. The Township will be responsible for seeking those sponsors.

**BISHOP** Mr. Bishop questioned whether there would be any limitations on the Township's ability to seek any of those sponsors.

**WENDEL** Mr. Wendel responded that there would be no limitation.

**MR. BISHOP MOVED TO AWARD THE BID FOR RIGHTS TO PROMOTE AND ADVERTISE SUMMER CONCERT SERIES AND SATURDAY IN THE PARK TO SUSQUEHANNA RADIO CORP. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT**

- A. LD-05-19 – Eastern Boulevard Medical Office – Time Extension (3/23/06)**
- B. LD-05-21 – York County Substance Abuse Treatment Facility – Time Extension (5/8/06)**

**MR. DVORYAK MOVED TO ACCEPT THE GRANT OF TIME EXTENSIONS A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**8. COMMUNICATION FROM SUPERVISORS**

There were no communications for discussion.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that good progress had been made on the Developer's Agreement for York Town Center. However, the end of the second extension expires this date, and there is a need for the Board to grant another extension until the next Regular meeting for approval.

**MR. BISHOP MOVED TO ACCEPT THE GRANT OF EXTENSION OF TIME EXTENSION FOR YORK TOWN CENTER TO FEBRUARY 23, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**RAUSCH** Solicitor Rausch stated that the appraisal had been received for the right-of-way for the Concord Road rail crossing. It is valued at \$5,500. He requested a motion to approve the easement across the railroad for Concord Road.

**MR. DVORYAK MOVED TO APPROVE THE EASEMENT ACROSS THE RAILROAD FOR CONCORD ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman stated he had provided a supplement to his written monthly report. No actions are required on any of the items. He added that he had no need for an Executive Session.

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

- A. Resolution No. 06-40 – Permit to Install and Operate Traffic Signals – Northern Way and Industrial Highway (York Town Center Development)**

**MR. BISHOP MOVED TO APPROVE RESOLUTION 06-40, TRAFFIC SIGNALS AT NORTHERN WAY AND INDUSTRIAL HIGHWAY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Resolution No. 06-41 – Permit to Install and Operate Traffic Signals – Concord Road and Proposed Site Access (York Town Center Development).**

**MR. BISHOP MOVED TO APPROVE RESOLUTION 06-41, PERMIT TO INSTALL AND OPERATE TRAFFIC SIGNALS AT CONCORD ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 06-42 – Accepting Dedication of Certain Rights-of-Way: Greystone Manor**

**HOLMAN** Mr. Holman asked to hold any action on item C until the next meeting.

- D. Annual Mutual Aid Agreements between Springettsbury Township Emergency Medical Services and:**

- 1. Eastern York County EMS**
- 2. Grantley Fire Company EMS**
- 3. West York Ambulance Club**
- 4. Canadochly Valley Ambulance**
- 5. Manchester Ambulance Club**
- 6. Citizens' Hose Company #1 EMS**
- 7. Rose Fire Company EMS**
- 8. Yoe Fire Company Ambulance Service**
- 9. Dover Area Ambulance Club**
- 10. Red Lion Area Ambulance Association**
- 11. Manchester Township Ambulance**
- 12. East Berlin Fire Department EMS**
- 13. Eureka Ambulance Club**

**SCHENCK** Chairman Schenck asked Mr. Stern specifically what drove this action.

**STERN** Mr. Stern responded that this action had been done every year. Four years ago he had the Board approve them because he did not have the authority to do so. Previously the Fire Chief always signed them. When Mr.

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REGULAR MEETING**

**FEBRUARY 9, 2006  
APPROVED**

Holman came on board, it was pointed out that all shared municipal agreements must be approved by the governing body.

**HOLMAN** Mr. Holman responded that there had been no change to anything within the agreement.

**MR. DVORYAK MOVED TO APPROVE THE MUTUAL AID AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND THE ENTITIES LISTED IN ITEMS 1 THROUGH 13 ON THE AGENDA. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**11. ACTION ON MINUTES:**

**A. Board of Supervisors Public Hearing – January 26, 2006**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS PUBLIC HEARING JANUARY 26, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – January 26, 2006**

**MR. BOWMAN MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING JANUARY 26, 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. OLD BUSINESS:**

There was none for discussion.

**13. NEW BUSINESS:**

- A. Request to Advertise Ordinance for Road Improvements to Include;**
- 1. Stop sign on Marion Road, east and west bound at Ridge Road.**
  - 2. Green Spring Road. No Left Turn onto Mt. Rose Avenue**

**HOLMAN** Mr. Holman stated that item 2 should be removed due to pending additional information. Item 1 will advertise to move the stop sign from Ridge Road to Marion Road. The County reviewed it and recommended approval of the change due to the new development that occurred at the end of that road.

**MR. BISHOP MOVED TO AUTHORIZE ADVERTISING AN ORDINANCE FOR A STOP SIGN ON MARION ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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**HOLMAN** Mr. Holman stated that it will be necessary to schedule a Development Authority meeting at 6:15 p.m. prior to the next Regular Meeting to approve the Developer's Agreement for York Town Center. Following that at 6:30 p.m. a Public Hearing will be held for a Liquor License for Long Horn Steak House.

**Consensus of the Board was to meet on February 23, 2006 at 6:15 p.m. for a Development Authority Meeting, and at 6:30 p.m. for a Public Hearing for a Liquor License.**

**14. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
PUBLIC HEARING**

**JANUARY 26, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 26, 2006 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  
George Dvoryak  
Mike Bowman

**ALSO IN**

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

**1. CALL TO ORDER:**

**SCHENCK**

Chairman Schenck called the Public Hearing to order at 6:45 p.m. He stated that the purpose of the meeting was to discuss the proposed transfer of a Liquor License No. R-18548 from York City into Springettsbury Township. Such transfers are permitted; however, they do require a Public Hearing.

**WOLOWSKI**

Attorney Stanley Wolowski, Liquor License Attorney for Brinker Penn Trust, the Pennsylvania Business Trust spoke for Chili's. He stated that Brinker Penn Trust would like to open a Chili's Restaurant in Springettsbury Township at the York Town Center where they desired to sell alcoholic beverages as a complement to a meal. They have entered into an agreement to purchase a restaurant liquor license currently issued for the City of York, which license would be transferred to Springettsbury Township. He introduced Michael Lechner, Area Director for Chili's Restaurants, who also was present. They respectfully requested that Springettsbury Township approve a Resolution permitting the transfer of the license, which they do not believe would adversely affect the welfare, health, peace and morals of Springettsbury Township or its residents. Attorney Wolowski provided some exhibits and documents of information regarding the operation of Chili's Restaurants. He noted that Brinker Penn Trust would hold the liquor license. He provided information on its status, stock, headquarters and operations. He stated that there are 1,129 Chili's Restaurants currently operating in 49 states and in 23 foreign countries, 20

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in Pennsylvania. He reported that Chili's is a casual dining, family-oriented restaurant featuring a wide variety of menu items. The location, which will have a sharp, attractive appearance and will be within the York Town Center in a commercial area with no churches, schools or private residences within the immediate vicinity. The restaurant will be approximately 5,874 square feet; will have a small bar area and a large dining area. Total seating will be for 219 people. He provided examples of the menu offered. Patrons of the restaurant will be of all ages from young children to senior citizens with a family-friendly atmosphere. Although this Chili's Restaurant will have a bar area the purpose of the sale of alcoholic beverages is as a complement to a meal. Sales figures for Chili's reflects 85% from sale of food, 15% from sale of alcoholic beverages. There will be no beer to go and no entertainment. The hours of operation will be Sunday through Thursday 11 a.m. to 11 p.m., and Friday and Saturday, 11 a.m. to Midnight. This Chili's will employ approximately 105 employees with extensive training in the responsible service of alcohol. No Chili's had ever been cited by the Pennsylvania State Police, Bureau of Liquor Control Enforcement. He respectfully requested adoption of the Resolution approving the transfer of license into Springettsbury Township.

**SCHENCK**

Chairman Schenck thanked him for the presentation, which had spoken to all of the issues of interest to the Board. He asked whether there was anyone from the public who wished to speak concerning this proposed transfer. He asked for comments from the Board. Hearing none, he noted that the item appeared on the Agenda for the Regular meeting which would follow, and the comments would be taken into consideration.

**SCHENCK**

Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman  
Secretary

ja

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 26, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 26, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

**ATTENDANCE:** John Holman, Township Manager  
Charles Rausch, Solicitor  
Mike Schober, Environmental Engineer  
John Luciani, Civil Engineer  
Harish Rao, Community Development Director  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director, Human Resources  
Jean Abrecht, 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 led the Pledge of Allegiance.

**B. Loyalty Oath – Patrolman Jesse J. Trout**

**C. Loyalty Oath – Patrolman Keith J. Klimas**

**SCHENCK** Chairman Schenck stated that two new police officers will be sworn in. He asked Chief Eshbach to introduce the officers, and Supervisor Bishop to administer the Loyalty Oath.

**ESHBACH** Chief Eshbach introduced Jesse J. Trout and Keith J. Klimas. He provided their educational and experience background. Officer Trout joined the Department on January 17, 2006, and Officer Klimas on January 23, 2006.

**BISHOP** Mr. Bishop administered the Loyalty Oath to Officers Trout and Klimas.

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**ESHBACH** Chief Eshbach presented Officer Trout with Badge 31 and Officer Klimas with Badge 32.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that an Executive Session was held following the last meeting to discuss both a real estate and a personnel matter. An Executive Session will be held following the regular meeting this date to discuss real estate and personnel.

**3. COMMUNICATION FROM CITIZENS:**

There were no communications from citizens.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober provided several updates. He reported that the BNR report and the Grit Removal report had been reviewed with staff. Comments are being addressed and the project soon will be completed. The permit is completed and ready for signature regarding the Barwood Road Sewer Project. The Cultural Resource Notice should be received from DEP in the near future. Discussions were held with staff regarding the NPDS Permit Renewal due March 1<sup>st</sup>. This expires in September and normally takes about six months for DEP to move through the permitting process. Mr. Schober noted that DEP seemed to be in a state of flux with the BNR strategy, and he will keep the Board updated.

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

**LUCIANI** Mr. Luciani stated that he and Mr. Holman will be meeting with PennDOT to discuss the proposed Rutter's store and its road impacts at North Hills Road and Industrial Highway.

**HOLMAN** Mr. Holman added that Spring Garden Township will attend as well, due to the possibility of the interconnection of Industrial Highway between Spring Garden and Springettsbury Township.

**LUCIANI** Mr. Luciani added that the applicant had been trying to schedule this meeting for three or four months. Mr. Luciani is interested to see what the outcome is due to potential impacts on the plan.

Mr. Luciani reported that negotiations continue with the developer for the Eastern Boulevard Medical Complex. The traffic islands

had been marked, and Messrs. Holman, Lauer and he visited the site. They are aware that some geometry changes need to be made, along with changes to a resident's driveway access. Approximately a month of opportunity remains to determine what to do at that location.

**SCHENCK**

Chairman Schenck stated that he had driven through and determined that the markings are effective,

**LUCIANI**

Mr. Luciani responded that Mr. Holman had a concern about left turns traveling west on Eastern Boulevard. Mr. Lauer's concern is how to get the plow trucks through. Mr. Luciani thought that those issues could be addressed.

**HOLMAN**

Mr. Holman added that the cones were set up to determine whether a fire truck could navigate through. Both Chief Eshbach, Andrew Stern and Charlie Lauer visited the site and there may be some needed revisions. He and Mr. Luciani would like to have the Board's consensus on whether to continue the process with the developer, who is working toward a trade off for some of the landscaping, save a four-foot wall that needs to be built by the developer.

**BISHOP**

Mr. Bishop asked whether they can develop a plan that will work.

**HOLMAN**

Mr. Holman responded that both he and Mr. Luciani believe they are very close but wanted to hear from the Board as to whether to move forward.

**SCHENCK**

Chairman Schenck suggested making the circles smaller.

**LUCIANI**

Mr. Luciani responded that was part of the plan.

**HOLMAN**

Mr. Holman noted that was determined after the fire truck went through.

**LUCIANI**

Mr. Luciani noted that the concern is that, if they are too small and a car can go through, they will defeat the purpose. They are attempting to balance it and adjust the geometry.

**HOLMAN**

Mr. Holman noted that painting the lines really helps to see how the plan could work.

**LUCIANI**

Mr. Luciani noted that they had been exchanging Development Agreements and drawings with Members First. The conclusion is that Members First will build the island; the Township does not

want to be involved. There were some obstacles which included acquiring rights of way, moving a utility pole. Members First provided some options, copies of which were provided to the Board. Both Mr. Holman and Mr. Luciani recommend selecting Option 2, also part of the Development Agreement.

**HOLMAN**

Mr. Holman noted that Option 2 would avoid having to take any additional land or moving utilities. He had provided color copies to the Board for review. He added that it does provide what the Board was looking for, which included No Left Turn out of Greenspring Road and moves motorist to Gabriel Plaza to Camp Betty Washington Road out to the light at Haines Road. A cost analysis was completed, and Solicitor Rausch reviewed the revised Agreement, which included this and \$10,000 towards general road improvements. It was recommended to move forward.

**LUCIANI**

Mr. Luciani explained that in Option 1 the curb line on the east side of Greenspring Road remains the same. They will put in the pork chop to deflect traffic over. Option 2 forces them to enlarge that radius and pull it in, and it makes a bigger deflection at the pork chop. The next step will be to adopt an Ordinance to add the sign to restrict the movement.

**HOLMAN**

Mr. Holman added an important item in that the state planned to make Prospect Road five lanes.

**BOWMAN**

Mr. Bowman asked when that might take place.

**HOLMAN**

Mr. Holman responded that there was a meeting with the state in December, and Mr. Luciani is preparing a presentation for the Board for the near future to show what they are proposing and see what concerns the Board might have for Springettsbury to reply to the state.

**BOWMAN**  
lanes

Mr. Bowman noted that, from what he read, there would be five from Haines Road to Longstown Road.

**LUCIANI**

Mr. Luciani responded that he was correct. Some condemnation will be necessary. He projected completion at beyond 2007.

**GURRERI**

Mr. Gurreri commented that it is in the 12-Year Plan.

**LUCIANI**

Mr. Luciani added that it is funded earlier.

**HOLMAN**

Mr. Holman stated that it had been funded for 2007/2008 for construction, as shown in the Manager's Report. Theoretically

construction money is there. It has not been called a project to date because it does not have DEP approval and has not gone through all its environmental steps, which are going on at this time.

**SCHENCK** Chairman Schenck asked whether any of this work would end up in any of the PennDOT planning.

**LUCIANI** Mr. Luciani responded he did not think it will conflict with it.

**BISHOP** Mr. Bishop asked Mr. Luciani to explain the difficulties of doing what had been proposed.

**LUCIANI** Mr. Luciani responded that if they did the boomerang, it has a 10 and possibly 15 foot lower end of the triangle. To fit that in there they would have to move a telephone pole, move a fire hydrant and they would be encroaching on the right of way to put the curb in the right way.

**HOLMAN** Mr. Holman added that they would have to take or purchase property from the condo development on the other side.

**BISHOP** Mr. Bishop commented that those considerations all are essentially economically unpalatable. He asked whether that would be the reason for not doing this.

**HOLMAN** Mr. Holman responded that moving into the other property take would prove to be extremely difficult.

**BISHOP** Mr. Bishop commented that it would not be difficult for the Township.

**HOLMAN** Mr. Holman responded that it would not be difficult if the Board decided to do so. In this case, he added that the Township gains what they had desired without having to do that.

**BISHOP** Mr. Bishop voiced his disagreement and stated he did not think it would work.

**GURRERI** Mr. Gurreri noted that when PennDOT widened the road this work might disappear.

**LUCIANI** Mr. Luciani responded that it would remain.

**GURRERI** Mr. Gurreri asked how high the curb is in Option 2.

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**LUCIANI** Mr. Luciani responded it is mountable curb but not just that slanted curb. A garbage or fire truck could go up over it; similar to what's at Heritage Hills.

**GURRERI** Mr. Gurreri noted it would be a little better than what is there now.

**HOLMAN** Mr. Holman stated that it is eight-inch vertical curbing, not mountable curbing. Any motorist would have to make an effort to go over it.

**GURRERI** Mr. Gurreri added that a truck could go over it but not a car.

**LUCIANI** Mr. Luciani made one additional point in that there is not an enforceable sign on the one at Heritage Hills because it is on private property. The one at Greensprings/Mt. Rose would be enforceable to a motorist not obeying a motor vehicle sign.

**BOWMAN** Mr. Bowman stated he thought it would be worthwhile. He did not see many people making left turns there.

**DVORYAK** Mr. Dvoryak stated he thought Option 2 seemed reasonable.

**HOLMAN** Mr. Holman stated that the Development Agreement was on the Agenda for approval. He added that it had been reviewed by the Solicitor's office and does include the \$10,000 for general road improvements.

**LUCIANI** Mr. Luciani noted that Exhibit 2 will go in with the Developer's Agreement, which is what they will build.

**HOLMAN** Mr. Holman stated that no construction is planned until year 2007. They are building another bank in another location at this time.

**5. ACCOUNTS PAYABLE:**

**A. Regular Payables as Detailed in the Payable Listing of January 26, 2006**

**GURRERI** Mr. Gurreri asked Mr. Holman about several items noted on the listing, one for Don Eckert and one for a Citizens Bank luncheon.

**HOLMAN** Mr. Holman stated he would review the items and respond to Mr. Gurreri.

**MR. GURRERI MOVED TO APPROVE REGULAR PAYABLES AS DETAILED IN PAYABLE LISTING JANUARY 26, 2006. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Permission to Advertise Bids for Replacement of Police Department Security Camera System**

**SCHENCK** Chairman Schenck asked whether the item was part of the 2006 budget, which the memorandum of explanation indicated.

**HOLMAN** Mr. Holman stated that it was funded in the 2006 budget. He indicated that Chief Eshbach did attempt to get quotes, all of which were over the \$10,000 limit, so it is necessary to go out to bid. The funded amount is \$14,000.

**MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE FOR BIDS FOR POLICE DEPARTMENT SECURITY CAMERA SYSTEM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

There were none for action.

**8. COMMUNICATION FROM SUPERVISORS:**

**SCHENCK** Chairman Schenck thanked the staff for looking into an item he brought up last meeting. He had seen a copy of the enforcement letter. He was glad to see some action was taken. He provided Mr. Holman with an additional item concerning Eastern Boulevard which had turned into a truck parking lot. Over the weekend there had been five trucks including a car carrier with a whole trailer parked.

**GURRERI** Mr. Gurreri asked about the welds at the prison.

**HOLMAN** Mr. Holman responded that he had met with the County, and they had sent a letter to Jim Baugh, a copy of which they are forwarding to Mr. Holman. The welds were done properly and correctly.

**9. SOLICITOR'S REPORT;**

**RAUSCH** Solicitor Rausch commented about the Members First Development Agreement. He stated that he had received a revised Development Agreement from the developer earlier this date. He had reviewed it and discussed it with Charlie Courtney. Since the Board had not had an opportunity for review, he asked whether

Mr. Courtney could provide a summary. Solicitor Rausch had several issues which he thought were substantive issues:

- \$5.6 million will be directed toward traffic improvements.
- Borrow the money, developer does the work, Authority repays and submits reimbursement requests to the state and then get reimbursed over a 10-year period.
- It is anticipated that with IFIP grant money the Authority will be reimbursed.
- What happens if everything doesn't go according to plan.
- Normal development would indicate the developer to be responsible for on-site traffic improvements.
- If the full amount of funding from IFIP grant does not come through, the Authority could be paying for what would otherwise be MPC required improvements.
- Question is whether the Township is willing to accept under this Agreement, or should the developer be responsible if, in fact, the money isn't there to cover at least the portion of road improvements along their borders.

**SCHENCK**

Chairman Schenck asked whether this was a new issue or something that had been pending.

**RAUSCH**

Solicitor Rausch responded that it had been pending. He understood that the developer had brought a lot to the table. However, to what extent should the Township be responsible for paying for all of the road improvements.

**COURTNEY**

Mr. Courtney stated that the Agreement had been discussed for several months. They had been operating with the understanding, not the assumption, but with the rather explicit understanding that the Township would be guaranteeing it. It had been discussed in numerous meetings, and it is a new one. Normally the onsite developers are responsible for on-site improvements. However, this is not a normal development scenario. Much of the IFIP funding will go to off-site improvements, and with the low interest rate there should be some surplus funding that the Township could use for public improvements or transportation improvements. In addition there will be \$160,000 that the developer is providing.

**SCHENCK**

Chairman Schenck indicated that his assumption was that there was a bigger issue than just where a development touches a street. His approval of the whole project was based on understanding that all of the improvements would be done and not just a little bit. However, Solicitor Rausch's concern is related to the whole thing falling apart.

**COURTNEY** Mr. Courtney noted that he thought the focus of Solicitor Rausch's comments were whether the developer should guarantee the portion representing the on-site improvements.

**SCHENCK** Chairman Schenck commented that the Solicitor was saying that based on minimizing the risk to the Township.

**COURTNEY** Mr. Courtney stated that the improvements are going to go in. That's going to be done day one with the loan proceeds. It's really a repayment issue.

**HOLMAN** Mr. Holman stated that the Township/Authority must be the final guarantor of this issue in order to obtain the tax-exempt status for the bond. Within the first four years, which are considered a stabilization period for the project, the state will come and do an audit. As the developer, they have to set up special tax accounts for this facility so that the tax money goes in. The review will be made to be sure that the assumptions made and confirmed by an independent auditor that the money coming in is enough to cover the debt service. It's a redevelopment scenario using the state because 1,000 new jobs will be generated, it's good for the economy and it is worth the state investing money.

**SCHENCK** Chairman Schenck asked the Board for comments.

**BISHOP** Mr. Bishop stated that his primary concern was that the Manager hadn't seen the latest version of the agreement. He did not think there were any serious issues that could not be resolved, but he was somewhat uncomfortable to move forward.

**COURTNEY** Mr. Courtney commented that they were not expecting action, just a discussion. He indicated it is a new agreement.

**HOLMAN** Mr. Holman added that he wanted to meet with Solicitor Rausch for review of the latest document. He recommended holding action until that had taken place.

**RAUSCH** Solicitor Rausch added that the bulk of it captures what is necessary. They just want to give it one final review.

**SCHENCK** Chairman Schenck stated that Solicitor Rausch was simply making sure the Board was aware of all the risks.

**10. MANAGER'S REPORT:**

- HOLMAN** Mr. Holman thanked Mr. Bishop for reminding him to contact Concord Finance. It had been a big help, a busy time, but a very good project to complete.
- HOLMAN** **Resolution No. 06-39, Consent to Assignment of Franchise**  
Mr. Holman had provided a Resolution to the Board, which had not been placed on the Agenda. He indicated that Mitch Pisker was present from Suscom to discuss the consent to assignment of the franchise for the cable TV from Suscom to Comcast. The Consent had been reviewed by Mr. Holman, the Solicitor, as well as an attorney who specializes in cable TV.
- PISKER** Mr. Mitch Pisker, General Manager for Suscom stated that Mr. Holman had summed it up well. The Resolution is standard practice when cable operations are sold. Suscom is selling its assets and cable systems in six states to Comcast. The deal is estimated to close mid to late April. Approximately 200 people are employed, which should not change. Comcast is the largest cable operator in the country with 25 million customers compared to Suscom's 235,000. Comcast is very aggressive with new products, services and technologies.
- BISHOP** Mr. Bishop stated for clarification that it will not change the previous franchise agreement that was in place.
- PISKER** Mr. Pisker responded that the agreement in place was signed in 2002 and is a 10-year agreement. This is a simple transfer of ownership with the agreement.
- HOLMAN** Mr. Holman commented that the only issue they wanted to clarify was with the definition of a mile with regard to Trout Run Road. Mr. Pisker had provided that to Mr. Holman, and they will visit the site for a better understanding.
- RAUSCH** Solicitor Rausch commented that the purpose of this is to certify that Suscom is not in violation of the contract and that the Township has no issues with Suscom.
- HOLMAN** Mr. Holman added that if no action is taken within 120 days, the contract becomes automatic.
- BISHOP** Mr. Bishop asked about the status of the government channel.
- HOLMAN** Mr. Holman responded that he had obtained a copy of every single cable agreement of any party that might want to participate in a joint effort. Some work was done.

**PISKER** Mr. Pisker indicated that progress is being made, and he would elaborate further on the matter in the future.

**MR. BISHOP MOVED FOR APPROVAL OF RESOLUTION 06-39, ADOPTION OF THE FRANCHISE AGREEMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

**A. Resolution No. 06-31 – Recognition of Jared P. Auchey**

**MR. DVORYAK MOVED FOR THE APPROVAL OF RESOLUTION 06-31, RECOGNITION OF JARED AUCHEY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-32 – Liquor License Transfer – Chili’s**

**SCHENCK** Chairman Schenck noted for the record that a Public Hearing had been held earlier this date concerning the Liquor License Transfer for Chili’s.

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-32, LIQUOR LICENSE TRANSFER, CHILI’S. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-33 – Recognition of Emily Slegel, Girl Scout Gold Award**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-33, RECOGNITION OF EMILY SLEGEL FOR HER GIRL SCOUT GOLD AWARD. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 06-34 – Recognition of Zachary Zortman, Eagle Scout**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-34, RECOGNITION OF ZACHARY ZORTMAN, EAGLE SCOUT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**E. Resolution No. 06-35 – Probationary Patrolman Jesse Trout to attend Basic Training Program**

**MR. DVORYAK MOVED TO APPROVE RESOLUTION 06-35. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**F. Resolution No. 06-36 – Designation of Zoning Officer and Deputy Zoning Officer**

**MR. BISHOP MOVED TO APPROVE RESOLUTION 06-36. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**G. Resolution No. 06-37 – Designation of Building Official and Deputy Building Officials**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-37, DESIGNATION OF BUILDING OFFICIAL AND DEPUTY BUILDING OFFICIALS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**H. Resolution No. 06-38 – Approving Proposed Amendment to Articles of Incorporation for Development Authority**

**MR. GURRERI MOVED TO APPROVE RESOLUTION 06-38 APPROVING PROPOSED AMENDMENT TO ARTICLES OF INCORPORATION FOR DEVELOPMENT AUTHORITY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**I. Ordinance No. 06-01 – Debt Authorization**

**CARLUCCI** Mr. Carlucci noted that the Ordinance had been properly advertised. He provided the latest version to the Board, which included the final numbers on Exhibit A setting forth the maximum annual obligations to which the guarantee to the Township would apply. The annual debt service column includes the sum of the debt service on both the Series A and Series B note. The purpose of the Ordinance is to provide the guarantee for the loan, which is supported by the Township's pledge of its full faith credit and taxing power.

**SCHENCK** Chairman Schenck asked when the funds would actually be secured.

**HOLMAN** Mr. Holman responded it would be March 1, 2006.

**CARLUCCI** Mr. Carlucci added that they had projected a closing date of March 1<sup>st</sup>. He explained the process with respect to this guarantee.

- First by enacting the Ordinance there will be a second advertisement that will appear to identify changes from the initial draft.
- Signatures will be required on various documents including a borrowing base certificate, a debt statement identifying

current outstanding debt, plus the debt represented by this guarantee.

- Documents will be filed with the Department of Community and Economic Development. By law they have up to 20 days to review and approve the proceedings. In all likelihood it will be approved probably within 15 days after the filing.
- All that will be accomplished prior to and in order to enable settlement with the banks on March 1<sup>st</sup>.

**SCHENCK** Chairman Schenck asked what the amount of time would be to start spending those funds.

**CARLUCCI** Mr. Carlucci indicated that the Series A monies would be drawn down immediately at closing. The Series A note is the note that represents the money that is coming from the grant. The state will only reimburse for whatever debt was actually paid in the March 1 fiscal year as it relates to that particular program. If all the money is drawn down, then the debt service will begin to amortize full interest.

**SCHENCK** Chairman Schenck clarified it would be drawn to the Authority, which would be enough to trigger the repayment.

**CARLUCCI** Mr. Carlucci responded that he was correct that the Authority will be drawing it, and the money will be made available to the developers to fund the road work under the provisions of the Development Agreement. Monies on the other note will be available through a draw process with 18 months to draw in order to fund road work plus acquisitions of any buildings, etc.

**MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 01-06 AUTHORIZING SOME NEW DEBT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**J. York Butterfly, LLC Contribution Agreement**

**HOLMAN** Mr. Holman stated that during the last meeting the Agreement was held for future action. A change had been inserted having to do with never asking for funding again for Concord Road. Since that meeting that was amended to state “for a period of 10 years from the date of the agreement.” Mr. Holman indicated that ten years would be a reasonable time frame; the road should not need to be touched for 10 years, and the Township would provide for normal maintenance. Should something come up after the 10-year period, it would be a development by the York Butterfly Corporation at

the Caterpillar site, then the Township would be able to ask. Mr. Holman was comfortable with that plus the Agreement for the contribution they are making to general road improvements will help the Township to move forward with the Concord Road rail crossing or other general road improvements, which is in the amount of \$100,000 if they settle by February 28<sup>th</sup> or \$130,000 on a pro-rated basis if it's settled by December 31<sup>st</sup> of this year.

**RAUSCH**

Solicitor Rausch commented that Stacey MacNeal provided a copy of the Agreement that came in late today. They were waiting to hear back from Attorney Bob Katherman, who was traveling. He indicated he was satisfied with the agreement but might have one or two minor editorial changes. Solicitor Rausch offered that the Board could approve this agreement subject to any minor editorial changes that arise. He thought changes would be nothing substantive.

**MR. GURRERI MOVED TO APPROVE THE YORK BUTTERFLY, LLC CONTRIBUTION AGREEMENT, INCLUDING MINOR EDITORIAL CHANGES, WITH A 10-YEAR MAXIMUM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**K. York Butterfly, LLC Development Agreement**

**HOLMAN**

Mr. Holman stated that the Development Agreement will trigger when the subdivided property on the Memory Lane side for Memory Lane improvements is either transferred of ownership, sold or any construction starts on that site. This is their subdivided property.

**BISHOP**

Mr. Bishop asked whether the Memory Lane improvements were defined.

**HOLMAN**

Mr. Holman responded that they are defined in the exhibit.

**LUCIANI**

Mr. Luciani added that during the Haines Road Study there was discussion about improving that signal. It has a signal on the site plan and also in the Haines Road Study, involved turning lanes and a longer left turn lane to get into the site.

**BISHOP**

Mr. Bishop commented that it defines everything the Board wanted in the Haines Road Study except for the expanded railroad crossing, but the approach is to the railroad crossing.

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 26, 2006  
APPROVED**

- LUCIANI** Mr. Luciani responded that was in the short term. There were short and long-term Haines Road improvements. One issue was the signal, which is currently outdated. They agreed to do that.
- HOLMAN** Mr. Holman noted that this process had begun as a single agreement but then bifurcated because it ended up dealing with the subdivision and with the land development plan.
- SCHENCK** Chairman Schenck asked that Mr. Holman provide the Board with final copies of the Agreement.

**MR. BISHOP MOVED TO APPROVE THE YORK BUTTERFLY, LLC DEVELOPMENT AGREEMENT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**L. Members First Federal Credit Union Development Agreement**

**MR. DVORYAK MOVED TO APPROVE MEMBERS FIRST CREDIT UNION DEVELOPMENT AGREEMENT. MR. BOWMAN WAS SECOND. MOTION CARRIED. MR. BISHOP VOTED NO. MESSRS. BOWMAN, SCHENCK, GURRERI, AND DVORYAK VOTED YES.**

**12. ACTION ON MINUTES:**

**A. Board of Supervisors Reorganization Meeting – January 3, 2006**

**MR. GURRERI MOVED TO APPROVE THE BOARD OF SUPERVISORS REORGANIZATION MEETING JANUARY 3, 2006 AS PRESENTED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Board of Supervisors Regular Meeting – January 12, 2006**

**MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE BOARD OF SUPERVISORS MEETING JANUARY 12, 2006 AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

- A. Request to Transfer Sewer Permit No. 0762 from 3373 Stoneridge Road to 3482 Glades Road**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 26, 2006  
APPROVED**

**HOLMAN** Mr. Holman reported that the Ordinance clearly stated that the Board must approve the transfer. It has been paid for. The gentleman bought the permit for the one lot, is not developing that lot, is developing his other lot that he owns and he would like to transfer the permit. He recommended authorization to transfer the permit.

**MR. GURRERI MOVED TO APPROVE THE TRANSFER OF SEWER PERMIT NO. 0762 FROM 3373 STONERIDGE ROAD TO 3482 GLADES ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of December 31, 2005 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF DECEMBER 31, 2005 TREASURER'S REPORT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**BISHOP** Mr. Bishop suggested that we fill the vacancy on the Comp Plan Committee due to a resignation. There is an opportunity to move an alternate member to be a full member, Mr. Bob Cox. He suggested moving forward with that. Mr. Cox had attended all the meetings and is up to speed.

**HOLMAN** Mr. Cox has been an asset to that board.

**MR. BISHOP MOVED TO APPOINT MR. BOB COX FROM ALTERNATE TO FULL MEMBER OF THE COMP PLAN COMMITTEE. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the Regular Board of Supervisors meeting at 8:20 p.m.

**SCHENCK** Chairman Schenck adjourned the Development Authority meeting as well, which had been in recess. No further action was taken.

Respectfully submitted,

John Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 12, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 12, 2006 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN**

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

**ALSO IN**

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

**1. CALL TO ORDER:**

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

**A. Opening Ceremony**

**GURRERI** Mr. Gurreri welcomed the attendees and prayed a blessing over the meeting. He led the Pledge of Allegiance.

**2. ANNOUNCEMENT OF EXECUTIVE SESSIONS:**

**SCHENCK** Chairman Schenck stated that no Executive Sessions had been held since the last Regular Meeting. One was scheduled to be held immediately following the Regular Meeting, this date, to discuss real estate and personnel matters.

**3. COMMUNICATION FROM CITIZENS:**

**MEHRING** **Zoning Change – 1433 Memory Lane**  
Mrs. Lynn Mehring, 1433 Memory Lane, spoke concerning a zoning issue, which she had brought before the Board several months earlier. She asked for the status of any consideration for a change in the zoning of residential property in a commercial zone.

- HOLMAN** Mr. Holman responded that the Comprehensive Plan Committee had been reviewing all of the ordinances. He was certain there would be changes.
- MEHRING** Ms. Mehring posed a situation where a tragic fire might take place and destroy 75% of her home. She, as the property owner, would have to seek approval from the Township to rebuild. She was very concerned that she would have difficulty during a time of crisis.
- RAUSCH** Solicitor Rausch noted that a text amendment would not only affect her situation, but also many other situations as well. He added that the theory behind the rule is that the Township would not want non-conforming uses to go on forever, and at some point that property should conform to the zoning, which is why there is a 75% ruling in place.
- MEHRING** Ms. Mehring noted that Manchester Township had changed its zoning for its citizens.
- LUCIANI** Mr. Luciani stated that he had been present at the Manchester Township meeting during the appeal. The concern was securing financing because a property was in a commercial zone and a house could not be rebuilt. He added that there are cases where buildings become dilapidated such as a non-conforming building encroaching a setback. The goal would be to bring everything into compliance. This would be evaluated on a case-by-case basis.
- RAUSCH** Solicitor Rausch suggested that the issue could be referred to the Planning Commission for a recommendation.
- BISHOP** Mr. Bishop commented that when the zoning was changed, it had been changed for the specific reason. He added that the ultimate intention of the Board of Supervisors at that time was to change the use in that area. It was made a non-conforming use because the Board anticipated the use to change at some future time.
- GURRERI** Mr. Gurreri noted that she would have to go to the Zoning Hearing Board. He indicated that more than likely she would be able to rebuild, and it would not be a problem until something happened; however, she would still have to go through the process.
- SCHENCK** Chairman Schenck commented that her specific problem is that the lot is zoned commercial; however, it is too small. A buyer would need to purchase more than one lot and join the lots together. He added that her case would be strong to rebuild.

**LUCIANI** Mr. Luciani noted that Manchester Township had done a text amendment to their zoning law. In Springettsbury Township there would be a Public Hearing, and the Solicitor would write the amendment.

**SCHENCK** Chairman Schenck added that the Board would act on it based on the testimony. He added that the process is dictated by the state.

**HOLMAN** Mr. Holman stated the Comprehensive Plan process is well underway in reviewing the zoning laws.

**BISHOP** Mr. Bishop stated that he was sure the issue would be addressed within the Comprehensive Plan Committee. The consultant is aware of the situation.

**SCHENCK** Chairman Schenck stated that in her situation it would be better to address it through the Comprehensive Plan.

**RAUSCH** Solicitor Rausch stated he would investigate the action taken by Manchester Township.

**Garbage Pickup**

**FEESER** Glenn Feeser, 1510 East Philadelphia, spoke in behalf of his father, Paul Feeser, whose property is 109 South Manheim Street. He explained that his father had been living at Autumn House following an incident that disabled him. No one had been living in the home on South Manheim Street. Mr. Feeser had called Penn Waste to try to stop garbage due to the fact that the home is unoccupied. Penn Waste informed him that nothing could be done due to the contract with Springettsbury Township. He asked for an explanation as to why he has to pay for garbage when no one is living there.

**SCHENCK** Chairman Schenck responded that they had taken a position due to the ordinance and the contract with the waste hauler. The contract and ordinance are specific that it is for the residences; it's not just for picking the trash up; it's the cost of the truck going by and providing the services available whether it's used or not.

**HOLMAN** Mr. Holman indicated he could select the one bag limit; however, the bill would still have to be paid because it is for the public health, safety and welfare of the community. It is a necessary service.

**FEESER** Mr. Feeser responded that his father had the one-bag service. He commented that he did not think it was ethical to collect fees if no one was living in the home. Other utilities stop their service and do not bill the customer.

**RAUSCH** Solicitor Rausch noted that the state law dictates that garbage service is mandatory, whether or not it is used. The law has been litigated state-wide and has gone to Appellate Court. Under state law Springettsbury Township has the responsibility to remove garbage from the Township. The service is provided throughout the community and contributes to the health, safety and welfare of the citizens.

**FEESER** Mr. Feeser thanked the Board even though he didn't agree with the response. He added that his telephone calls should be returned by the Manager and his staff.

**STUHRE** **Auction Barn**  
Charles Stuhre, 3680 Trout Run Road, spoke concerning the non-conforming use at the intersection at Druck Valley Road and Trout Run Road, an auction barn. He asked the Township to look into the property to have it cleaned up. He cited various things that he had observed that were becoming an eyesore in the neighborhood.

**HOLMAN** Mr. Holman responded that he would visit the property and introduce Mr. Rao to Trout Run Road.

**4. ENGINEERING REPORTS:**

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

**SCHOBER** Mr. Schober reported that the DEP permit to work in the wetlands at Eden Road had been received. The contractor was notified and a schedule was requested to determine when he can return to complete the work. Action will be taken on the first application for payment later during the meeting, which will cover the work done installing sewers above the Armory where the pump station is located on Eden Road.

The mapping for the Long Range Sewer Plan was completed, and meetings were held with Township staff regarding the plan.

Mapping and drafting of the existing site plan at the pistol range had been completed. He hoped to have drawings showing the proposed plan at the next meeting.

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

**LUCIANI**

Mr. Luciani reported that because gasoline prices had gone up, the prices of construction materials, especially bituminous had gone up dramatically; concrete is up 70%. His resources indicate that material prices, gas prices, raw materials, concrete, aggregates and bituminous paving materials are very expensive. Paving within the Township is being done at a high cost.

There is a proposed movie theater to be placed within the existing Weis shopping center building in the Gabriel Bros. shopping center. If the movie theater plan goes an inch outside the building, they will have to do a Land Development Plan. They had applied for a variance for parking.

Within the Graystone development, there are several streets that the residents want the Township to adopt and maintain. They had gone out to the site and checked especially to core the bituminous material to verify that it met the minimum thickness. While the streets have a fairly thin coat, the streets will be maintained with good success.

He, Mr. Holman and Teri Markley met on Phase II of Safe Routes to School. A second application had been submitted for reimbursement money in the area of East York Middle School and East York Elementary. They are in older neighborhoods with no sidewalks. If the money is awarded without too many strings attached, sidewalks would improve the value of the neighborhood. Mr. Luciani stated that he appreciated the opportunity to work with staff as Zoning Officer.

**5. ACCOUNTS PAYABLE:**

- A. DOLI Construction Corporation – Eden Road/Tulip Tree Sewer Project – Application for Payment No. 1 in the amount of \$209,989.80.**
- B. Regular Payables as Detailed in the Payable Listing of January 12, 2006**

**MR. DVORYAK MOVED TO APPROVE ACCOUNTS PAYABLE ITEMS A AND B. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

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

- A. Authorization to Award Professional Services Contract to KSK for Recreation/Open Space Development Plan for an amount not to exceed \$60,000**

**HOLMAN** Mr. Holman stated that the item complied with the grant. Word had not yet been received from the state so approval of the contract would be contingent upon the final approval of the state's review of the contract. This does meet the grant specifications.

**SCHENCK** Chairman Schenck asked who was involved in choosing those recommended.

**HOLMAN** Mr. Holman responded the Recreation Committee and the state, which was very pleased with how KSK had been chosen the first time. They felt the process was thorough. They were fine with using KSK, which firm partnered with Yost Strodski Mears, YSM, so both will be involved.

**BOWMAN** Mr. Bowman commented that it sounded very elaborate, and he wondered what they could advise that the Township officials did not already know.

**HOLMAN** Mr. Holman stated that the information will provide direction as to what to do with the rest of the parks and open space over the next 10 years. Design of the parks will be included.

**MR. BISHOP MOVED TO AWARD THE PROFESSIONAL SERVICES CONTRACT TO KSK FOR THE RECREATION AND OPEN SPACE PLAN IN AN AMOUNT NOT TO EXCEED \$60,000. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Authorization to Award Contract to Doug Lamb Construction, Inc. for Traffic Improvements at Sheridan and Mundis Mill Road in an amount not to exceed \$230,000**

**HOLMAN** Mr. Holman stated that he had provided to the Board a funding breakdown. There is \$150,000 from the 2005 capital budget; \$101,000 left over from the Board of Education contribution; and \$75,000 from a developer's contribution. There is a need for a few more thousand from the current capital for a total contract award of \$329,812. This includes quite a bit of sidewalk which is what the developer, S&A Homes, contributed towards, as well as the signal light. Two bids had been received, both very close to each other: \$329,812 from Lamb and \$359,700 from Kinsley Construction. The bids were consistent and are on a per unit cost basis. The light should be installed at Sheridan by May which will tie it into the school shut down.

**LUCIANI** Mr. Luciani pointed out that the mast arms and signal heads, stored by Public Works, will be recycled for this project.

**MR. GURRERI MOVED TO AWARD CONTRACT TO DOUG LAMB CONSTRUCTION, INC. FOR TRAFFIC IMPROVEMENTS AT SHERIDAN AND MUNDIS MILL ROAD IN AN AMOUNT NOT TO EXCEED \$329,812. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Authorization to Advertise for Bids Marketing and Advertising Contract for Springgettsbury Township Summer Concert Series and Saturday in the Park Event.**

**HOLMAN** Mr. Holman stated that Susquehanna Radio provided a different proposal for 2006. They did not want to renew under the old contract terms. Bids will be issued with two options: one with the old contract terms and one with the revised contract terminology.

**MR. GURRERI MOVED TO APPROVE ADVERTISEMENT OF BIDS MARKETING AND ADVERTISING CONTRACT FOR SPRINGETTSBURY TOWNSHIP SUMMER CONCERT SERIES AND SATURDAY IN THE PARK EVENT. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. SUBDIVISIONS AND LAND DEVELOPMENT:**

**A. LD-05-06 – York Town Center (Action)**

**HOLMAN** Mr. Holman introduced Mr. Harish Rao, new Community Development Director who, within a month, will be the new Zoning Officer.

**RAO** Mr. Rao provided some details of his background and stated that he looked forward to working with the Board, staff and residents.

**LUCIANI** Mr. Luciani provided background information regarding the York Town Center plan, which had been documented in a January 5, 2006 memorandum. The plan had been previously approved by the Board with several waivers, conditions and modifications. Since then the building footprint had been modified. The storm water basin was slightly modified; the limits of paving were modified, and a few of the roadway items were changed. The road cross section was set to line up better with the Concord Road extension, and there is a provision in the ordinance for the plan to be re-presented to the Board for re-approval. Mr. Luciani stated that the changes were fairly minor and he provided a PowerPoint overview showing the changes in plan.

**MR. DVORYAK MOVED TO APPROVE LAND DEVELOPMENT 05-06, YORK TOWN CENTER, APPROVED BY THE BOARD ON SEPTEMBER 8, 2005 WITH REVISIONS MADE NOVEMBER 30, 2005, “PER CONSTRUCTION DOCUMENTS” AND DECEMBER 22, 2005 “PER TENANT CHANGES” BE REAPPROVED WITH THE SAME WAIVERS, MODIFICATIONS AND CONDITIONS AS WERE SPECIFIED IN THE ORIGINAL APPROVAL. THIS RE-APPROVAL SHALL BE ENDORSED BY THE BOARD ON A NEW SIGNATURE BLOCK ON THE FACE SHEET OF THE PLAN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. LD-05-07 – York Business Center (Action)**

**HOLMAN**

Mr. Holman provided background information as documented in a January 5, 2006 memorandum. He stated that the plan previously had been approved by the Board at the October 13, 2005 meeting with a number of waivers, modifications and conditions listed in the memorandum. On November 21, 2005, the owner through its attorney, J. Robert Katherman, Esq. filed a Waiver Application form requesting that the Township defer the developer’s obligation to provide the PA DOT Highway Occupancy Permit for the required improvements to Memory Lane. Condition 2 of the Developer’s Agreement had not yet been completed, and the 90-day period for recording the plan remained the same. The Board met with Attorney Katherman and the developer, and staff recommended that the Board re-approve the plan with the condition that the owner enter into a Developer’s Agreement approved by the Supervisors within 60 days of re-approval for all public improvements required by the plan including the Concord Road improvements and that such agreement should provide the HOP application for the Memory Lane improvement and the financial security for those improvements deferred until the owner enters into a contract for sale of either of the two lots along Memory Lane created by the subdivision or the submission of a Land Development Plan for either lot. The Financial Security for the Concord Road improvements should be provided concurrently with the Developer’s Agreement. No work is planned for the subdivided lot at this time.

**SCHENCK**

Chairman Schenck asked for clarification regarding the Developer’s Agreement.

**HOLMAN**

Mr. Holman stated that the agreement does exist and the final copy was received from the Solicitor’s office this date. Mr. Holman had not had an opportunity to review one extra paragraph with the Solicitor dealing with a request by the developer to make this the

final contribution by York Butterfly Corporation towards Concord Road or general road improvements.

**RAUSCH**

Solicitor Rausch stated that the developer is asking for the entire Caterpillar site, that the contribution that is being made now is for Concord Road. So that if the Cat site was developed some time in the future or subdivided some time in the future, the Township could not go back and ask for more money for Concord Road provided the Township is satisfied with that.

**SCHENCK**

Chairman Schenck noted the specific bullet points within the suggested motion. However, he also noted other items that are outstanding. He asked for clarification on the specific wording.

**KATHERMAN**

Attorney Robert Katherman, representative of the York Butterfly, LLC, explained that the developer is in complete agreement with the bullet points included in the suggested motion. He had discussed the issues with Attorney MacNeal for clarification. Financial security would be posted prior to a sale or as part of a Land Development Plan approval process. Attorney Katherman stated that he had received a Developer's Agreement and a Contribution Agreement. The Contribution Agreement speaks to the contribution being made now and signed immediately for money perhaps for Concord Road, but not limited to Concord Road. And the addition is the amount of money that had been requested as contribution for the construction of Concord Road. There may be other contributions sought for future subdivisions, but no additional money for Concord Road. The developer agrees with the contribution, as well as with the Developer's Agreement being approved within 60 days, which was in the suggested motion. He added that there are no open issues.

**BISHOP**

Mr. Bishop asked whether, within this agreement, it mentioned specifically Concord Road or it referred to the Concord Road rail crossing.

**KATHERMAN**

Attorney Katherman responded that there is a portion of Concord Road which is the boundary line of the Butterfly property. The contribution at all times was predicated on that total cost; they would contribute to a portion of that. Attorney Katherman's understanding was that they had never been asked, nor did they offer to pay for the rail crossing; only the part contiguous to their property. In addition, he stated that they had agreed that the dollars would not have to be spent on Concord Road, but rather they can be spent anywhere in the Township, but it is in lieu of the

developer building Concord Road along their portion of the property.

**BISHOP** Mr. Bishop stated that he had some concerns regarding the exact wording, which needed to be more specifically defined. He was not implying that they should pay for the rail crossing.

**KATHERMAN** Attorney Katherman indicated his understanding that funds are in place to build from Mt. Zion Road past their development, and that the Township has funds for the railroad track. He hoped that the Township would not look to Butterfly to build a road which had no contact with their site.

**SCHENCK** Chairman Schenck commented for clarification that it would be agreeable as long as all the parties understand and agree there will be no further contributions toward Concord Road as it is this date.

**BISHOP** Mr. Bishop asked whether the Board was comfortable with the idea that since most of the specific bullet points for a motion had been agreed upon that the Board approve this contingent upon acceptance of both parties of the Developer's Agreement.

**KATHERMAN** Attorney Katherman stated that the Developer's Agreement contained exactly those bullet points. He added that the Contribution Agreement is in effect for the Concord Road contribution. The Developer's Agreement will be in effect within 60 days for Memory Lane; the two agreements physically separate and cover two things.

**SCHENCK** Chairman Schenck stated that the Township will enter into a Developer's and a Contribution Agreement.

**MR. BISHOP MOVED THAT WITH SD-05-07, YORK BUSINESS CENTER, APPROVED BY THE BOARD OF SUPERVISORS ON OCTOBER 13, 2005, THAT THE SUBDIVISION PLAN BE REAPPROVED WITH THE WAIVERS AND MODIFICATIONS ORIGINALLY STATED IN THAT APPROVAL AND ON CONDITION THAT:**

- **A DEVELOPER'S AGREEMENT APPROVED BY THE BOARD OF SUPERVISORS AND A CONTRIBUTION AGREEMENT APPROVED BY THE BOARD OF SUPERVISORS BE ENTERED INTO BETWEEN THE PARTIES WITHIN 60 DAYS OF THIS RE-APPROVAL.**

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

**8. COMMUNICATION FROM SUPERVISORS**

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 12, 2006  
APPROVED**

- GURRERI** Mr. Gurreri asked for a status report concerning the welds at York County Prison.
- HOLMAN** Mr. Holman responded that he had not yet received that report.
- GURRERI** Mr. Gurreri stated that he would be out of town during the February meeting. He thanked Mr. Dvoryak for taking over the Police Pension Board.
- DVORYAK** Mr. Dvoryak thanked Mr. Gurreri for taking over the Local Government Advisory Board.
- BOWMAN** Mr. Bowman commented concerning the signs for Christmas trees mentioned during the December meeting. He asked whether anything had been done toward eliminating the problem for next Christmas season.
- HOLMAN** Mr. Holman responded that he had made a note to take it back to the Comprehensive Plan Committee to spend some time on signs. He will be working with Mr. Rao and Attorney MacNeal on the issues. He noted that it could be forwarded to the Planning Commission as well.
- BISHOP** Mr. Bishop noted that for the Police and Fire Pension Board meetings, it would be a worthwhile effort for staff to do some work prior to those to be sure that a Quorum will be present.
- HOLMAN** Mr. Holman noted phone calls will be made to assure a Quorum.
- DVORYAK** Mr. Dvoryak reported he received a phone call from Concord Financial Proposal, and they didn't seem to receive much information. Mr. Dvoryak had to explain who the authority was, who the Board was comprised of, what assets they own and what ability to repay the loan.
- HOLMAN** Mr. Holman responded that Concord Finance is supposed to call, which is noted in the package for additional information.
- SCHENCK** Chairman Schenck reported that he received a phone call from a resident on South Rockburn off of Market who reported that it appeared there was a contracting business being run out of a home. There are three or four trucks and other items there. He had visited the site, and there was no doubt in his mind that there is a contracting business. He had received a call from a resident who complained about the general condition of the road at Lower Glades Road. Trees were blown over during a storm, which were

not removed. He again mentioned his concern about PODS. He suggested that the Township become more aggressive and find a way to accommodate the PODS but to regulate and control their use.

**HOLMAN** Mr. Holman had found an article in a municipal newsletter dealing with PODS. It is an item that cities and townships are facing. He suggested that PSATS may have a sample ordinance or model ordinances from other communities. He offered to pull information together.

**9. SOLICITOR'S REPORT:**

**RAUSCH** Solicitor Rausch reported that he had received a communication from Members First Land Development Plan on Mt. Rose Avenue requesting that the Township construct the road work.

**LUCIANI** Mr. Luciani indicated that bidding little projects is not easy.

**BISHOP** Mr. Bishop added that it is much easier for the developer to do because they have the equipment on site. The only thing they can't do is acquire property. That is the one thing the Township can do more easily than they can.

**HOLMAN** Mr. Holman indicated that they have a copy of the agreement that was received this date, which will be reviewed and an additional meeting will be held with them. A 60 or 90-day extension was provided, so no action would be necessary at this time.

**BOWMAN** Mr. Bowman noted that the problem is that they're putting in a super boomerang as opposed to a pork chop, which usually is more work.

**LUCIANI** Mr. Luciani added that a modified version of that plan would be more acceptable.

**HOLMAN** Mr. Holman stated that he would contact Mr. Luciani and meet again for further review.

**10. MANAGER'S REPORT:**

**HOLMAN** Mr. Holman reported that Central High School requested that the students would be allowed to walk through the Tree Farm to look at animal habitats and foot trails as part of their education program. There would be coordination with Mr. Hodgkinson to be sure no work is being done there. DEP indicated that it would be a good

activity and part of eligible items within the grant. Central High School would hold the Township harmless in the event of problems. He asked for the Board's approval.

**BISHOP** Mr. Bishop stated he had no objection. He suggested consideration be given to leasing the land to them until such time that the Township would have need of it.

**GURRERI** Mr. Gurreri asked whether it could be leased.

**BISHOP** Mr. Bishop indicated that if enough money were available, the Township could pay back the Federal government for the funds put into it.

**HOLMAN** Mr. Holman added that consideration would be in the current value of the land.

**HOLMAN** Mr. Holman reported that he had the funding agreement for the Safe Routes to School. The final numbers indicate that the grant is for \$243,248.00, which number would be approved in the Resolution. The state contract noted the original application numbers, and the Township will sign off for the approved amount.

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

**A. Resolution No. 06-24 – Establishment of Treasurer Bond**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 06-24, ESTABLISHMENT OF TREASURER BOND. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Resolution No. 06-28 – Wallingford Development Street Lights**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 06-28, WALLINGFORD DEVELOPMENT STREET LIGHTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**C. Resolution No. 06-29 – Authorizing the Execution of an Agreement with the Pennsylvania Department of Transportation for Acceptance of TEA-21 Funds**

**MR. GURRERI MOVED TO APPROVE RESOLUTION NO. 06-29, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF TEA-21 FUNDS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**D. Resolution No. 06-30 – Reducing Member Contributions into the Police Pension Fund for the Year 2006**

**MR. BOWMAN MOVED TO APPROVE RESOLUTION 06-30 REDUCING MEMBER CONTRIBUTIONS INTO THE POLICE PENSION FUND FOR THE YEAR 2006. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**12. ACTION ON MINUTES:**

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

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

**13. OLD BUSINESS:**

There was no Old Business for discussion.

**14. NEW BUSINESS:**

**A. Motion to Approve Reimbursement of Business Privilege Tax Overpayment to Eichelberger Construction Co., Inc.**

**HOLMAN** Mr. Holman stated that the Eichelberger Construction Company overpaid their business taxes in 2005, 2004 and 2003. This was received back in May. The matter was reviewed with the Tax Collector, the Treasurer and the Solicitor's office. There was, in fact, an overpayment in those years and based on the latest court case, the Township is required to reimburse these funds.

**MR. BISHOP MOVED TO APPROVE REIMBURSEMENT OF BUSINESS PRIVILEGE TAX OVERPAYMENT TO EICHELBERGER CONSTRUCTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Acknowledge Receipt of November 30, 2005 Treasurer's Report**

**MR. GURRERI MOVED TO ACKNOWLEDGE RECEIPT OF THE NOVEMBER 30, 2005 TREASURER'S REPORT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented concerning a Treasurer's Report of the Fire Company. He indicated that Don Eckert instructed that the Board should not move to approve it; just accept it. Chairman

**SPRINGETTSBURY TOWNSHIP  
REGULAR MEETING**

**JANUARY 12, 2006  
APPROVED**

Schenck wondered whether this Board should simply acknowledge receipt of the Treasurer's Report.

**RAUSCH** Solicitor Rausch responded that he did not think a motion is necessary; just acknowledge it.

**BISHOP** Mr. Bishop noted that Mr. Hadge liked that the Board moved to acknowledge it.

**SCHENCK** Chairman Schenck stated he didn't mind continuing that practice.

**15. ADJOURNMENT:**

**SCHENCK** Chairman Schenck adjourned the meeting at 8:50 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 3, 2006  
APPROVED**

The Board of Supervisors of Springettsbury Township held the Annual Reorganization Meeting on Tuesday, January 3, 2006 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

**MEMBERS IN  
ATTENDANCE:**

Bill Shenck, Chairman  
Don Bishop, Vice Chairman  
Nick Gurreri  
Mike Bowman

**MEMBERS NOT  
PRESENT:**

George Dvoryak, Secretary/Treasurer

**ALSO IN  
ATTENDANCE:**

John Holman, Township Manager  
John Luciani, Civil Engineer  
Dori Bowders, Manager of Administrative Operations  
Betty Speicher, Director, Human Resources  
Jean Abrecht, Stenographer

**1. Call To Order:**

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

**2. Oath Of Office – William H. Schenck, III**

**SCHENCK** Notary Public Harriett Schenck administered the Oath of Office to Mr. Schenck.

**3. Election Of Officers:**

**A. Chair of the Board of Supervisors**  
Current Chair: Bill Schenck

**SCHENCK** Acting Chairman Schenck called for Nominations for Chair of the Board of Supervisors.

**MR. GURRERI NOMINATED BILL SCHENCK. MR. BISHOP WAS SECOND.**

**MR. BISHOP MOVED THE NOMINATIONS BE CLOSED. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Acting Chairman Schenck called for the vote for the Office of Chairman.

**MOTION UNANIMOUSLY CARRIED.**

- B. Vice Chair of the Board of Supervisors**  
Current Vice Chair: Don Bishop

**SCHENCK** Chairman Schenck opened the floor for Nominations for the Office of Vice Chairman.

**MR. BOWMAN NOMINATED DON BISHOP. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Assistant Secretary/Treasurer**  
Current Assistant Secretary/Treasurer: George Dvoryak

**SCHENCK** Chairman Schenck opened the floor for Nominations for the Office of Assistant Secretary/Treasurer

**MR. GURRERI NOMINATED GEORGE DVORYAK. MR. BOWMAN WAS SECOND. MOTION 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

**SCHENCK** Chairman Schenck called for Nominations for Delegates and Voting Delegate to the PSATS Annual Convention.

**MR. BISHOP MOVED TO APPOINT THE ENTIRE BOARD AS DELEGATES TO THE PSATS CONVENTION AND MR. GURRERI AS VOTING DELEGATE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**5. Resolutions**

- A. Resolution No. 06-01 – Appointment of Township Solicitor**  
Current Solicitor: Blakey, Yost, Bupp & Rausch, Charles Rausch, Esquire

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-01. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- B. Resolution No. 06-02 – Appointment of Township Civil Engineer**  
Current Engineer: First Capital Engineering, John Luciani, P.E.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-02. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- C. Resolution No. 06-03 – Appointment of Township Environmental Engineer**  
Current Engineer: Buchart-Horn, Inc., Michael Schober, P.E.

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-03.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- D. Resolution No. 06-04 – Appointment of Township Secretary**  
Current Secretary: John J. Holman

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-04. MR.  
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- E. Resolution No. 06-05 – Appointment of Township Treasurer**  
Current Treasurer: Jack Hadge

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-05. MR.  
GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- F. Resolution No. 06-06 – Appointment of Vacancy Board Chair**  
Current Chairman: Jeffrey Lobach

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-06. MR.  
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- G. Resolution No. 06-07 – Appointment of Police Pension Fund Chief  
Administrative Officer**  
Current CAO: John J. Holman

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-07.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- H. Resolution No. 06-08 – Appointment of Fireman’s Pension Fund and Non-  
Uniformed Employee Pension Fund Chief Administrative Officer**  
Current CAO: John J. Holman

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-08. MR.  
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- I. Resolution No. 06-09 – Appointment of Sewage Enforcement Officer**  
Current SEO: Bradley Hengst, David Brown, Alternate

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-09. MR.  
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- J. Resolution No. 06-10 – Appointment of Representative to York County  
Earned Income Tax Bureau**  
Current Representative: Jack Hadge  
Proposed Alternate: Corina Mann

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-10.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**SCHENCK** Chairman Schenck commented that Mr. Hadge's input is greatly valued as the Representative.

- K. Resolution No. 06-11 – Appointment of Representative to Springettsbury  
Township Volunteer Fire Company**  
Current Representative: Bill Schenck

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-11.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- L. Resolution No. 06-12 – Appointment of Representative to Local Government  
Advisory Committee**  
Current Representative: George Dvoryak

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-11  
APPOINTING MR. GURRERI AS REPRESENTATIVE. MR. BISHOP WAS  
SECOND. MOTION UNANIMOUSLY CARRIED.**

- M. Resolution No. 06-13 – Appointment to Zoning Hearing Board (5 Year  
Appointment)**  
Expired Term: William P. Bender

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-13. MR.  
GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- N. Resolution No. 06-14 – Appointment of Alternates to Zoning Hearing Board  
(3 Year Appointment)**  
Expired Terms: Michael J. Papa and Richard M. Campbell

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-14.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

- O. Resolution No. 06-15 – Appointments to Planning Commission (4 Year Term)**  
Expired Terms: Alan Maciejewski and Lawrence Stets

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-15.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**P. Resolution No. 06-16 – Appointment to Plumbing Board (3 Year Term)**

Expired Term: Norman Naftzger

**SCHENCK** Chairman Schenck suggested that a review be made concerning the Plumbing Board's activities. The Plumbing Board holds no meetings, and the Building Code handles the appeal process.

**HOLMAN** Mr. Holman stated that he would review the legislation.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-16. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Q. Resolution No. 06-17 – Appointment to Park and Recreation Board (4 Year Term)**

Expired Term: Cathleen Holman

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-17. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**R. Resolution No. 06-18 – Appointments to Recycling Committee (No Term Length – Annual Appointment)**

Current Members: Ron DiAngelo, Stephen Baker, Michael Schmotzer, Connie Schmotzer, Penny Dellinger, Deb Bixler and William Greenawalt

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-18. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**S. Resolution No. 06-19 – Appointing Members to Historic Preservation Committee (No Term Length – Annual Appointment).**

Current Members: Mary Ellen Monson, Lois Miller, Luther Sowers, Stephen Keener, June Frick, Beth Fowler, and Arlene Dietz Imes.

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-19. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**T. Resolution No. 06-20 – Designation of Depositories and Safety Deposit Box**

**SCHENCK** Chairman Schenck asked whether there had been any changes.

**HADGE** Mr. Hadge responded that the Bank of Hanover had been added.

**SCHENCK** Chairman Schenck commented that there would be another set of signature cards.

**MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-20. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**U. Resolution No. 06-21 – Approval of Bank Account Signatories**

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-21. MR. BOWMAN WAS SECOND.**

**BISHOP** Mr. Bishop commented that he could be persuaded to remove the requirement for Board members to sign checks.

**HOLMAN** Mr. Holman responded that the fiscal and investment policies would have to be adjusted.

**SCHENCK** Chairman Schenck asked Mr. Hadge whether he would be concerned about a change in that area.

**HADGE** Mr. Hadge stated he would respond to the Board's decision. He indicated that the auditor's work is enhanced by the verification that a member of the legislative body also signs the checks. He had found full cooperation of every Board member's accessibility for signing checks.

**GURRERI** Mr. Gurreri stated he thought it was a good policy.

**SCHENCK** Chairman Schenck noted that a dollar limit could be set.

**BISHOP** Mr. Bishop stated that the rationale for not requiring that would be to gain efficiency. Setting a dollar limit might make it more difficult.

**HOLMAN** Mr. Holman stated that he would discuss the matter with the auditors.

**MOTION UNANIMOUSLY CARRIED.**

**V. Resolution No. 06-22 – Designation of Zoning Officer and Deputy Zoning Officer (2)**

Current Zoning Officer and Deputy: John Luciani, Zoning Officer  
Christopher Beauregard and Donald Yost, Deputy Zoning Officers

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-22. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**W. Resolution No. 06-23 – Appointment of Building Official and Deputy Building Official**

Current Building Official: John Luciani – Christopher Beauregard and Roger Marshall, Deputy Building Officials

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-23.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**X. Resolution No. 06-24 – Designation of Representative for Nomination to the Board of Directors of the York County Economic Development Corporation**

**HOLMAN** Mr. Holman stated that Mr. Gurreri's name had been suggested.

Discussion was held as to whether this appointment should be made through the Township or whether it was requested because of the Township.

**SCHENCK** Chairman Schenck stated that the Resolution would be removed as being non-essential.

**Consensus was agreement to remove Resolution No. 06-24 as non-essential.**

**Y. Resolution No. 06-25 – Appointment of Personnel Attorney**  
Current Personnel Attorney: Ballard Spahr Andrews & Ingersoll, LLP – Patrick Harvey, Esquire

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-25.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**Z. Resolution No. 06-26 – Appointment of Landscape Architect**  
Current Architect: Yost Strodski Mears (YSM)

**MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-26.  
MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**AA. Resolution No. 06-27 – Appointment of Auditing Firm**  
Current Auditors: Sager, Swisher and Company, LLP

**MR. GURRERI MOVED FOR THE ADOPTION OF RESOLUTION NO. 06-27.  
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**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 – 4<sup>th</sup> Thursday only, November and December – 2<sup>nd</sup> Thursday only – 7:00 p.m.**

Discussion:

**SPRINGETTSBURY TOWNSHIP  
ANNUAL REORGANIZATION MEETING**

**JANUARY 3, 2006  
APPROVED**

1. November (proposed date **Wednesday**, November 15, 2006 due to Township's of the Second Class Convention being held on second Thursday in November).

**GURRERI** Mr. Gurreri noted that, due to many other activities in February, perhaps there could be only one Township meeting.

**SCHENCK** Chairman Schenck asked about the future workload of developers.

**LUCIANI** Mr. Luciani responded that the development work would be relatively light.

**BISHOP** Mr. Bishop noted that meetings are longer when scheduled only once a month.

**SCHENCK** Chairman Schenck stated that he, personally, would rather not cancel a February meeting.

**MR. BOWMAN MOVED TO ACCEPT THE TIME AND DATES AS LISTED ON THE AGENDA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**7. Adjournment**

**SCHENCK** Chairman Schenck adjourned the meeting at 7:30 p.m.

Respectfully submitted,

John J. Holman  
Secretary

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