

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 12, 2015
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 12, 2015 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Julie Landis
Bill Schenck
Kathleen Phan

ALSO IN

ATTENDANCE: Kristen L. Denne, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Buchart-Horn, Inc.
Patricia Lang, Director of Community Development
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
Thomas Hyers, Chief, Police Department
Robert McCoy, Chief, YAUFRR
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abrecht, Stenographer

1. CALL TO ORDER

SWOMLEY Chairman Swomley called the meeting to order at 7:15 p.m. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. January 22, 2015 – 7:50 p.m. – Personnel

SWOMLEY Chairman Swomley noted that an Executive Session had been held on January 22nd, to discuss personnel matters.

3. COMMUNICATION FROM CITIZENS

CHAPMAN Mary Chapman, Roslyn Drive, questioned the board as to whose responsibility it is to remove snow from the extension of Eastern Boulevard to Stoneridge.

SWOMLEY Chairman Swomley responded that it is the developer's responsibility.

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CRUMLING Larry Crumling, 108 Lorenzo Court, commented about Robert's Rules of Order.

He noted that very few township residents attend the Board of Supervisors meeting; however, if they do and want to make a comment, their comments must be made at the beginning of the meeting. Robert's Rules of Order noted that an individual with a raised hand could be acknowledged with permission to speak.

PHAN Ms. Phan responded that the board had been discussing the meeting rules and noted that the Chair had acknowledged residents who wished to comment during the meeting. She added that the meetings are advertised in many different venues for residents to attend.

CRUMLING Mr. Crumling added that he thought the board should be more transparent about matters discussed in Executive Sessions. He disagreed with Executive Sessions and thought the residents should be advised, with the exception of personnel matters.

PHAN Ms. Phan responded that only personnel matters are discussed in Executive Sessions.

CRUMLING Mr. Crumling stated that there are issues that are discussed in Executive Sessions that could be out in front of the residents.

SWOMLEY Chairman Swomley responded that any discussion in Executive Sessions is not stated in public meetings, and the board does not do that. He noted that Mr. Crumling's comment seemed to accuse the board of violating the Sunshine Laws.

CRUMLING Mr. Crumling stated that he believed transparency is needed.

RINEHART Deb Rinehart, a resident of Springettsbury Township, presented an issue regarding sewer payments not being processed in a timely manner. She had been charged a \$4.95 late fee for her sewer payment even though her payment had been mailed in plenty of time and at least five days in advance. Her checks had not been cleared by the bank. She stated it had happened more than once.

DENNE Ms. Denne asked if she had been advised of the formal process of writing a letter to the township for a review.

RINEHART Ms. Rinehart responded that she had not known about the letter.

DENNE Ms. Denne asked her to call her office for further discussion.

LANDIS Ms. Landis questioned whether she had sent her checks or taken them to Susquehanna Bank for the sewer payment.

RINEHART Ms. Rinehart responded that they had been placed in the U. S. mail.

DENNE Ms. Denne noted the matter seemed problematic and may need a review with the provider.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart-Horn, Inc.

CRABILL Dennis Crabill stated that he had provided a written monthly report and had no updates. He offered to respond to questions, but there were none.

B. Civil Engineer – First Capital Engineering, Inc.

1) Adaptive Signal Presentation

LUCIANI John Luciani stated he had provided a written monthly report. He followed up on previous discussion concerning Adaptive Signal Control, and he had a video presentation for the board's information. A summary of the video and discussion follows:

- Two signal permits in the township recently were upgraded. First Capital Federal Credit Union upgraded the four corners with push button controls. The developer for First Capital Federal Credit Union provided the improvement in conjunction with the PennDOT permit.
- I-83 ramp rebuild will add new signals at Raleigh, Betty Washington, Mt. Rose and Haines with Adaptive Signal Control. York County Planning Commission met and determined to add Adaptive Signal Control from Kenneth Road to North Hills Road. Consideration is being reviewed for Market Street.
- Adaptive Signal Control is owned by Rhythm Engineering. PennDOT had teamed up with Rhythm Engineering to rebuild the signals. Other vendors may be forthcoming.
- Rhythm Engineering personnel were extremely helpful and provided all the training needed to be comfortable with the operation and maintenance.
- InSync removed approximately 6 million stops per year; saved 55,000 gallons of gas and saved 72,000 hours in northern Colorado. No changes had been necessary and it minimized workload.
- InSync processors have determined the traffic flow, learned how to communicate in order to turn green.
- May not be a solution to every issue but will move traffic through intersections.

SWOMLEY Chairman Swomley asked Mr. Luciani to address the revisions already made to be set up for success with InSync.

LUCIANI Mr. Luciani responded with several main points.

- With the Plug-N-Play system, no changes are necessary to upgraded current signals. They can work with loop detectors but work much better with cameras.
- With new development, the township requests developers to install cameras in the signals.

5. CONSENT AGENDA

- A. Board of Supervisors Budget Work Session Minutes – November 5, 2014
Board of Supervisors Meeting Minutes – January 8, 2015
- C. Board of Supervisors Public Hearing Minutes – January 22, 2015
- D. Board of Supervisors Meeting Minutes – January 22, 2015
- E. Shannon A. Smith, Inc. – Springettsbury Fire Building Project – Application for Payment No. 14 in an amount not to exceed \$2,617.96
- F. Regular Payables as Detailed in the Payable Listing of February 12, 2015
- G. LD-14-06 – Time Extension – Candlewood Suites Hotel – Plan Expires 2/17/15 (New Plan Date 2/28/15)

LANDIS Ms. Landis recused herself from voting regarding item D.

PHAN Ms. Phan commented on some of the payable items. She questioned whether there would be a way to identify whether the payments are monthly, quarterly or yearly.

DENNE Ms. Denne responded that the items are different, such as healthcare is quarterly, insurance is yearly. She asked Ms. Phan to send her an email on specific items.

PHAN Ms. Phan noted that most of them were clear. She asked if MUNIS would have a way to identify them with an X or a Y.

DENNE Ms. Denne responded that it is something they could review.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G. MS. LANDIS RECUSED HERSELF FROM THE VOTE FOR ITEM D. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Purchase 2015 International 7600 6x4 Heavy Truck Chassis through Tri County Motor Sales in an amount not to exceed \$122,186.
- B. Authorization to Purchase Truck Dump Body and Snow Removal Equipment for the Chassis through U.S. Municipal Supply in an amount not to exceed \$68,070

HODGKINSON Mr. Hodgkinson provided an explanation for items A and B. Item A covered the chassis, and item B covered the dump body and accessories. The items are in the 2015 Sewer Fund Budget and will be purchased through COSTARS.

LANDIS Ms. Landis questioned the fact that the purchase is coming from the Sewer Fund. The truck will be used for township snow removal.

HODGKINSON Mr. Hodgkinson noted it will come out of the Springettsbury Only Capital. The equipment is housed at Public Works and will be used for Public Works functions, as well as for sewer functions.

MR. SCHENCK MOVED TO AUTHORIZE THE PURCHASE OF THE 2015 INTERNATIONAL TRUCK FROM TRI COUNTY MOTORS IN AN AMOUNT OF \$122, 186, AND FURTHER MOVE TO AUTHORIZE THE PURCHASE OF THE DUMP BODY FOR THE TRUCK THROUGH U. S. MUNICIPAL SUPPLY IN THE AMOUNT NOT TO EXCEED \$68,070. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISION AND LAND DEVELOPMENT

A. Historic Preservation Committee Report

LANG Patricia Lang noted that Steve Smith, Chair of the Historic Preservation Committee provided a report.

SMITH Mr. Smith noted that he had several subjects to report.

- Vacancy on the HPC – Steve Kohler resigned, along with Luther Sowers, which left two vacancies. Several potential members had come forward; however, they are not township residents. He asked if the board would be willing to waive the requirement.

SCHENCK Mr. Schenck responded that he thought members should reside in the township as they would have a higher vested interest. Outside help is always valuable, however.

SMITH Mr. Smith noted that there are several individuals who sit in on the meetings and are very active, but they are not township residents.

SCHENCK Mr. Schenck noted that they would add value. He added that he was just one voice, but he hoped the vacancies could be filled with residents.

LANDIS Ms. Landis questioned when residency was put into place.

SCHENCK Mr. Schenck responded it was put in place when the board created the committee.

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- SMITH** Mr. Smith noted he thought it was in 1991.
- LANDIS** Ms. Landis asked how many people attend and give their input, but who are not Springettsbury residents.
- SMITH** Mr. Smith responded that there are two: Jim Williams and Terry Downs.
- LANDIS** Ms. Landis asked when and what time the meetings are held.
- SMITH** Mr. Smith responded that the meetings are held on the fourth Thursday of each month at 12:30 p.m.
- LANDIS** Ms. Landis asked whether they had considered changing the time of the meeting.
- SMITH** Mr. Smith responded that they had discussed it; however, the 12:30 p.m. time worked best for the current members.
- LANDIS** Ms. Landis noted that she did not see any issues with having a non-resident join the committee. If they are interested and want to be involved, she applauded and encouraged their membership. There are non-residents who visit the parks and attend concerts, and volunteer for the township who are not residents. Anything major would have to be approved by the board. Shared services take place with Spring Garden within YAUFRR.
- SMITH** Mr. Smith noted that there are seven members with an allotment of nine. Everything is working well with the current seven. If he has a candidate that he thinks is exceptional, he would bring it to the board on a on-on-one basis.
- LANG** Ms. Lang proposed to open it up to someone who works in the township or owns a business in the township but may not be a resident.
- SWOMLEY** Chairman Swomley noted that the limit had been lifted a few months ago. He suggested that the options be explored first before entertaining any change.
- SMITH** Mr. Smith brought forward the following:
- Archeologic Considerations – Camp Security. He noted the Agenda item changing the Ordinance.
 - List of Historically Significant Sites – 102 currently on the list.
 - Some homeowners coming forward who are not on the list and want to be. Investigation proves they are likely candidates.
 - Article relating to candidates to be printed in the next Springettsbury newsletter.

- Proposing historic plaque program; letters to be submitted to significant sites for "Official" status.
- List to be re-evaluated and upgraded; completion proposed by fall of 2015.
- Presentations on Springettsbury Township history to be made.

8. COMMUNICATION FROM SUPERVISORS

NARCAN

LANDIS Ms. Landis expressed kudos to the police department for a newspaper article of February 7th with regard to a proactive approach for training of 32 officers in the use of NARCAN. She asked when the training started and when the officers completed the training.

HYERS Chief Thomas Hyers responded that the training is on line, is run by the state, and it takes about a half hour to complete. Each officer receives a certification.

SWOMLEY Chairman Swomley asked Chief Hyers to briefly explain to the public what NARCAN is and why it is so important.

HYERS Chief Hyers reported that there is a national heroin crisis in America. Officers are not authorized to give over-the-counter medication. However, before he left office Governor Corbett signed legislation allowing the police to use NARCAN. Law enforcement around the state, York County Heroin Task Force, National and State FOP, all are attempting to impact the crisis. NARCAN is a drug that can be given that rapidly will bring a person right back out of a comatose situation. The District Attorney's office is working with Wellspan and the Drug Task Force to fund the initial dosage at no cost to the township. York County had 19 heroin deaths in 2013; as of December 31st there were 59 confirmed deaths due to heroin. The use of NARCAN will provide an effective tool to the officer in heroin situations.

LANDIS Ms. Landis asked when the officers started their training.

HYERS Chief Hyers responded that it had been within the past week or week and a half.

LANDIS Ms. Landis asked whether everyone had completed the training.

HYERS Chief Hyers responded that he had done so and he believed everyone else had. He added that they do not have the drugs yet and may not have it for another month.

LANDIS Ms. Landis asked whether there would be any liability for an officer who used the NARCAN on an individual who had not used heroin and whether it would harm the individual.

HYERS Chief Hyers responded it would not harm anyone. They had investigated the use of NARCAN extensively, along with the York County Chiefs, the DA's Office and the Governor's Office to make sure there would be no liability.

LANDIS Ms. Landis asked if the certification is needed annually or only once.

HYERS Chief Hyers responded at this time it is a one-time training. He intended to have the officers refresh every year in order to be up to date. He added once the NARCAN is received he will make sure that everyone is advised.

DENNE Ms. Denne added that item E on the Agenda, Resolution No. 2015-30, will enable the Chief to accept the agreement with York County District Attorney. That is the information the board would need to be aware of and which would be discussed this date.

Mt. Wolf/Eagle Fire Company

DVORYAK Mr. Dvoryak added that, on the theme of kudos, he had received notice that YAUFRR is expanding its footprint with an Affiliation Agreement to be signed with Eagle Fire Company of Mt. Wolf. He asked Chief McCoy to speak to the main highlights of the agreement.

MCCOY Chief McCoy reported that YAUFRR had been working with Station 22, Eagle Fire Company, since 2012 under an Operational Agreement. An Affiliation Agreement is a new aspect within the Charter Agreement and is the next step for a volunteer company to operate with YAUF. It involves more of a commitment with the company time wise and allows YAUFRR to invest more into shared services, etc. This does not cost the Charter municipalities any money; however, it prevents going too far for a short period of time with assisting them. They maintain their corporate identity; however, they chose to become Station 89-6 for York County Operations. They fully understand the agreement and want to move forward. The commitment will renew at the same time as Springettsbury, Spring Garden and Manchester in 2017.

DVORYAK Mr. Dvoryak asked whether it will be a revenue producer for YAUFRR.

MCCOY Chief McCoy responded that it is not and does not cost any money to YAUFRR. It is similar to the Operational Agreement in place, a commitment to the regional philosophy, shared services, and shared policies. It further is a commitment for a volunteer company to show affiliation with YAUFRR without losing their corporate identity.

PHAN Ms. Phan added that the Eagle Fire Company is an excellent volunteer fire company, as well as all of them, but they are going to be a very valuable asset to YAUFRR, just as YAUFRR will be to them. It's a teamwork type of agreement and it benefits everybody. She stated that the volunteer firemen are very important to the communities and YAUFRR will be able to help them expand. In addition, a lot can be learned from them as they are an excellent volunteer organization.

MCCOY Chief McCoy stated that over three years they had made tremendous improvements in training and membership. He had met with their supervisors in East Manchester Township because it is a unique situation there with a borough company but the majority of the funding is from the township. One of the benefits that YAUFRR can bring to them as well is just to assist them with long-term planning of the fire service for East Manchester. Mt. Wolf Borough and East Manchester Township supported the move.

9. SOLICITOR'S REPORT

A. Solicitor's Report

RAUSCH Solicitor Rausch stated he had provided a written report and had nothing to add.

SWOMLEY Chairman Swomley asked whether Solicitor Rausch had received the updated status of Release by Supervisor Landis to Springettsbury Township and all parties in exchange for the sum of \$35,000 that was approved at the last meeting, contingent upon the signed release form. He asked whether tax documentation had been received as well, following which a check will be released.

RAUSCH Solicitor Rausch responded that all documents on the Settlement Agreement had been submitted and payment can be made.

10. MANAGER'S REPORT

DENNE Ms. Denne noted she had several items to bring to the board's attention.

- A Traffic Review meeting is scheduled for Monday afternoon, February 16th. She asked the board to submit any items for agenda review.
- SCI will have a public meeting with DEP on February 17th at 6 p.m. regarding the Water District and residents' concerns with well water.
- The new Wine and Spirits Store held a Grand Opening on February 11th. She noted that it is a fantastic store and encouraged the everyone to visit.
- Following approval, she planned to advertise the two vacancies open on the Historic Preservation Committee. It would be placed on the website.

LANDIS Ms. Landis asked about the Traffic Committee as she was not familiar with it. She wondered how many people are on the committee.

DENNE Ms. Denne responded that the Traffic Committee had been in place prior to her arrival, and it is back up and running. The Township Engineer, Community Development, Fire and Police Departments and Department of Public Works – basically all department heads - are involved. Consideration is given to complaints or accident increases in specific areas, and specific items are recommended for action to the board.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2015-02 – Authorizing Execution of Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan.

MR. DVORYAK MOVED FOR THE ADOPTION OF RESOLUTION 2015-02. MOTION UNANIMOUSLY CARRIED.

SCHENCK Mr. Schenck commented that a young Boy Scout was in the audience working on his Citizenship in the Community Merit Badge. Mr. Schenck explained the agreement that the board had authorized, which was part of a longstanding activity that had been going on between the State of Maryland and Pennsylvania and any other states that contribute water to the Chesapeake Bay. He noted it is all about making sure that clean water ends up in the Chesapeake Bay. Springettsbury Township must do its part in this initiative.

SWOMLEY Chairman Swomley apologized that he had not recognized the Boy Scout earlier during the meeting.

B. Ordinance No. 2015-03 – Amending the Code of Ordinances, Chapter 325, Zoning, Article XX, Flexible Development District

MR. SCHENCK MOVED TO ADOPT ORDINANCE 2015-03. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2015-28 – Accepting the Offer of Dedication for Public Use of a Sanitary Sewer Line Located within Stone Ridge Road.

MR. SCHENCK MOVED TO APPROVE RESOLUTION 2015-28 ACCEPTING THE SEWER LINE. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2015-29 – Designating a Township Building Official and Deputy Building Official.

MR. SCHENCK MOVED FOR THE ADOPTION OF RESOLUTION 2015-29 DESIGNATING A BUILDING OFFICIAL. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2015-30 – Authorizing Police Chief to Sign Memorandum of Understanding with York County District Attorney’s Office to Allow Springettsbury Law Enforcement Officials to Participate in the Administration of Act 139 of 2014.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2015-30. MOTION UNANIMOUSLY CARRIED.

F. Authorization to Advertise Ordinance Amending Chapter 213 – Park Ordinance

RAUSCH Solicitor Rausch stated that there were two areas of focus. One, to clean up firearms language in the ordinance, and second to add language to the Park Regs to prohibit metal detectors or other similar devices and prohibit the removal of park resources.

SWOMLEY Chairman Swomley repeated for the public’s understanding, that possession or use of a mineral or metal detector or magnetometer or site scan sonar and other metal detector device or sub-bottom profiler is prohibited. All natural, cultural, and archeological resources are protected and may not be removed or disturbed.

DVORYAK Mr. Dvoryak questioned the removal of the words “guns and firearms.”

RAUSCH Solicitor Rausch responded they were removed because they cannot be prohibited in parks.

DVORYAK Mr. Dvoryak asked whether there is a distinction between possessing and using.

RAUSCH Solicitor Rausch responded that the use can be legal in self-defense. The bottom line is that, for somebody to shoot a gun illegally, the police are not going to use this Ordinance. They are going to use State Law.

SCHENCK Mr. Schenck stated that an individual is allowed to use a gun if it is the legal use of a gun, and otherwise is not permitted to use it.

RAUSCH Solicitor Rausch noted that the language was reviewed by the attorney for the Gun Lobby and it is acceptable to them.

SCHENCK Mr. Schenck commented that this is just to advertise at this point.

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RAUSCH Solicitor Rausch commented that he would like the board's review on the penalties for the Park Regs. The current penalty is a Summary Offence if convicted. The current penalty is a minimum of \$100 and a maximum of \$600. Under the Second Class Township Code, the maximum fine can be set at \$1,000 per violation.

SWOMLEY Chairman Swomley asked who would make the determination of the amount.

RAUSCH Solicitor Rausch responded that the District Justice does.

SWOMLEY Chairman Swomley asked if it is based on the guidelines the board sets.

RAUSCH Solicitor Rausch responded that the minimum the DJ sets is \$100. If the township sets the maximum at \$1,000 he could go up to \$1,000 per day.

DVORYAK Mr. Dvoryak commented that it probably had been at \$600 for a long time.

SCHENCK Mr. Schenck asked if \$1,000 is the state maximum.

RAUSCH Solicitor Rausch responded that he was correct.

SCHENCK Mr. Schenck noted he could see no reason for not making it consistent with state law.

RAUSCH Solicitor Rausch commented that it will be kept at the \$100 minimum and then make it a maximum of \$1000.

**MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT OF ORDINANCE
AMENDING CHAPTER 213 – PARK ORDINANCE. MOTION UNANIMOUSLY
CARRIED.**

G. Authorization to Advertise Ordinance Amending Chapter 152 – Firearms and Weapons

RAUSCH Solicitor Rausch noted that there was a separate Chapter in the Code of Ordinances on Firearms and Weapons. It was to focus on target ranges, but again it gets into gun prohibition. He proposed to eliminate some language and it will essentially become a Target Range Permit ordinance.

**MR. SCHENCK MOVED TO AUTHORIZE ADVERTISEMENT OF THE FIREARMS
WEAPONS ORDINANCE. MOTION UNANIMOUSLY CARRIED.**

12. OLD BUSINESS

There was no Old Business for action.

13. NEW BUSINESS

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There was no New Business for discussion.

14. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 8:27 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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