

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 28, 2019
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, March 28, 2019 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Justin Tomevi
Robert Cox

ALSO IN

ATTENDANCE: Ben Marchant, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Dan Stump, Police Chief
Teresa Hummel, Finance Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jessica Fieldhouse, Director of Community Development
Nitza Sanchez-Bowser, Director of Human Resources
Jay VanPelt, YAUFRR
Andy Hinkle, Manager of Information Systems
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the Regular Meeting to order and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SWOMLEY Chairman Swomley announced that an Executive Session was held following the last meeting. An Executive Session will be held following adjournment this date for personnel and collective bargaining.

3. COMMUNICATION FROM CITIZENS

KESSLER Brad Kessler, 364 Cheltenham Road asked for information concerning the completion of the East York Sewer Line Interceptor Project.

CRABILL Mr. Crabill responded to his questions that included the remaining work, photographs of the trees to be provided and the creek.

KESSLER Mr. Kessler mentioned that several companies had contacted them about a conservation project on the creek. They had individuals going through their cornfield.

MARCHANT Mr. Marchant responded that the township has an RFP out for a Stormwater Management Consultant. The respondents are going out and surveying the watershed within the township to find out just what kind of projects would be viable to help the township meet its stormwater mandate.

KESSLER Mr. Kessler stated that they are apparently contacting the township because their phone number had been given to them. Mr. Kessler would like to be notified before they come on their property.

MARCHANT Mr. Marchant stated that they hadn't been going through the township, but they had been reaching out to property owners directly. This is an independent kind of due diligence they're doing in their preparation to present the township with an RFP.

FIELDHOUSE Ms. Fieldhouse stated that the township had not provided any individual contact information. The only information provided was the Wastewater Treatment Plant to make sure they could get in. Most of the information is readily available on line as well as in the phone book and the county database.

SWOMLEY Chairman Swomley confirmed that the township is not giving information out.

KESSLER Mr. Kessler thanked the board and just reiterated that they would like to be notified of individuals coming on their site.

NUNN Lydell Nunn, 3712 Bedfordshire Drive spoke representing the York Little League. He requested permission to have food truck vendors on site for the Opening Day Ceremonies on April 13, 2019.

MR. WURSTER MOVED THAT SPRINGETTSBURY TOWNSHIP SPONSOR THE YORK LITTLE LEAGUE OPENING DAY CEREMONIES ON APRIL 13TH AND THEREBY GIVING THEM THE AUTHORITY TO HAVE A FOOD TRUCK ON THE

PREMISES AS OUTLINED, SUBJECT TO EVIDENCE OF INSURANCE AND THE DEPOSIT OF \$200. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SWOMLEY Chairman Swomley moved the item of Old Business, Interstate 83 Widening Project Letter of Concurrence matter ahead on the Agenda with the board's concurrence.

13. OLD BUSINESS

A. Interstate 83 Widening Project Letter of Concurrence (Fayfield Park)

HOOVER Bryan Hoover, Stantec Consulting representing PennDOT, and Laura Bair, Skelly and Loy, also representing PennDOT spoke before the board with additional planning for Fayfield Park. An updated map of the concept plan of the park was provided. The baseball dimensions are for a Little League Major/Minor field. The major reason for coming before the board was to review the commitment letter for both PennDOT and Springettsbury Township. Comments concerning the updated concept plan follow:

- Off-street parking – Off 5th Avenue meets township ordinance; zoning is Open Space with no direct ordinance related except at the township discretion.
- Stadium criteria applied; 26 spaces; ADA compliant; cartway width in middle with 24 feet standard parking lot size.
- Parking terminates at the edge toward 83; last spot backs in. Sidewalk goes all the way around the parking and continues to the pavilion and to the basketball court.
- Plantings will act as buffer between residences and basketball court.
- Dugouts are enclosed and protected by the backstop; could be enclosed with fence and a covering. Tapered style field has a 200-foot outfield; 46-foot distance to pitcher's mound; 60 feet for the base path.
- Placement of field has sun to be in the back. Sunset will be with teams on defense; sun not in the batter's eyes. Distance from Homeplate to first row of parked cars is 200 feet.
- Resident feedback has been favorable.

BAIR Ms. Bair stated that they thought the 11 comments from the previous meeting had been addressed. There are some items that cannot be answered at this point until Final Design. However, they are committed to working with the township on every detail in the Final Design, which will be summarized in the commitment letter.

LUCIANI Mr. Luciani stated that he had talked with the Director of Highway Design, Steve Moore that what the consultant is saying is what PennDOT is saying. He indicated that the other part of the Right-of-Way-Acquisition with the township, some of the design details and part of the environmental report, there will be opportunities for the township and PennDOT to negotiate.

RAUSCH Solicitor Rausch stated that he had reviewed the letter and approved of its content.

MR. TOMEVI MOVED TO AUTHORIZE THE TOWNSHIP MANAGER TO SIGN THE LETTER OF CONCURRENCE. MR. COX WAS SECOND.

WURSTER Mr. Wurster asked whether there is a date on the letter.

RAUSCH Solicitor Rausch responded that it was dated this date, March 28, 2019.

MR. WURSTER MOVED TO AMEND THE MOTION TO REFERENCE THE MARCH 28TH VERSION OF THE SKELLY AND LOY CORRESPONDENCE ON THE SAME. MR. TOMEVI CONCURRED. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his written monthly report. He had no changes to his report. However, he reported that the Chapter 94 report was delivered, as well to staff.

RAUSCH Solicitor Rausch asked how the capacity is holding.

CRABILL Mr. Crabill responded that it is fine.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his written report as well. He had several updates, summarized:

- The County Bridge Engineer HRG wrote a letter to the Township about the Industrial Highway Bridge near Nemo Pools. Mr. Luciani reviewed the last bridge inspection. The Industrial Highway Bridge moved from a rating of 5 to 4 with an overall rating of 69.3, meaning the bridge is getting to a critical point. The County Municipal Planning organization funds bridge work and it could be placed on the plan for 2021. He noted the bridge will be in a critical corridor for detours especially during the Interstate 83 construction.
- Potential for additional traffic coming off Pleasant Valley Road could be the grand entrance; more mall related than anything. It would preserve other operating commercial businesses there.
- Mod Pizza's sewer line was broken by Columbia Gas, which they are replacing.
- A Traffic Concept Plan, combined with PennDOT, was created to discuss traffic near the township building, the Galleria, Mt. Zion Road. Coming off the westbound ramp, install dual rights and dual lefts more vehicles could get through the intersection. That would require eliminating the ability from Mt.

Zion Road to the 30 westbound ramp. The second page of the exhibit is to direct traffic down Whiteford Road and allow entrance down at that location.

WURSTER Mr. Wurster asked what the next step would be.

LUCIANI Mr. Luciani responded that the changing of the ramp to go 30 west is a big deal. It would have to go through PennDOT, the State Representatives and gather a cost proposal. He added that there would be very little right-of-way taking and more cars would move through that intersection with those changes. Volumes in the peak hour, 5 to 6 p.m. 90 vehicles go toward York; peak hour on Mt. Zion is 2,200 vehicles.

SWOMLEY Chairman Swomley noted that for the Whiteford Road westbound 30 traffic it would be a turn across traffic to get onto that ramp.

LUCIANI Mr. Luciani responded that would be one of the challenges. Initially it was thought to take it down by the intersection; however, there is a problem with the cuing. It is all subject to refinement.

MARCHANT Mr. Marchant noted there would have to be room to make Whiteford a one-way road and direct traffic up Pleasant Valley Road.

LUCIANI Mr. Luciani stated that there are questions, and preserving capacity in the general area is an important thing, as well as helping the mall and getting traffic to the other businesses.

SWOMLEY Chairman Swomley noted that Whiteford will be two way up to the mall entrance to the Casino and full movement coming out.

LUCIANI Mr. Luciani responded that it's not 100 percent complete, but there's some thought there that's pretty good. It is not final, but if the concept continues to develop it could work.

WURSTER Mr. Wurster suggested to make sure to circle back with the Planning Commission about this. He was aware that Chairman Staub had looked at something in this area to get across to Route 30 as well. He stated that it is worthy of exploration.

LUCIANI Mr. Luciani responded that on March 29th a meeting is to be held and McMahon is involved.

Consortium Discussion

SWOMLEY Chairman Swomley asked for an update concerning York Township and York County Planning Commission.

LUCIANI Mr. Luciani responded that York Township was on board early on with the Consortium, and they held a lot of their meetings at York Township.

MARCHANT Mr. Marchant commented that they still host them.

SWOMLEY Chairman Swomley indicated their letter sounded like they are still on board with the Consortium.

MARCHANT Mr. Marchant indicated there is a little bit of a tug of war where York Township is saying they're managing their own program, and York County is to stay out of York Township. They are directed to service the other communities throughout the County and help them out, but they won't get their information and they are not to bother them. Mr. Marchant noted that they are attempting to maintain a division and local control.

WURSTER Mr. Wurster noted that it will be interesting.

MARCHANT Mr. Marchant commented that Springettsbury does not have any issues working with them. There is no encroachment and he wouldn't indicate differences unnecessarily.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – January 15, 2019
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – February 19, 2019
- C. Acknowledge Receipt of February 28, 2019 Treasurer's Report
- D. Board of Supervisors Regular Meeting Minutes – March 14, 2019
- E. Regular Payables as Detailed in Payable Listing of March 28, 2019
- F. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2018 – Cindy Shi (Parcel #46-05-163) in the amount of \$13.91
- G. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2019 – Cindy Shi (Parcel #46-05-163) in the amount of \$166.85

MR. TOMEVI MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENT

- A. Authorization to Award 2019 Traffic Line Painting and Pavement Marking Contract to Alpha Space Control Company, Inc. in an amount not to exceed \$165,203.51

MR. DVORYAK MOVED TO AUTHORIZE AWARDED 2019 TRAFFIC LINE PAINTING AND PAVEMENT MARKING CONTRACT TO ALPHA SPACE CONTROL COMPANY, INC IN AN AMOUNT NOT TO EXCEED \$165,203.51. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. Request for Waiver of First Building Permit Renewal Fee – Commons Drive Townhouses

PASCH Tim Pasch spoke before the board to request a waiver for the Extension Fee that he had received. He noted that he had built 30 townhouses along Eastern Boulevard. The first and second buildings are leased. Out of 15 units that are left, four are leased and three are leased in the other. He stated that he had paid a \$57,000 for Plan Review and inspections. During the fall and winter it rained three out of every five days a week, and they got behind. He appeared before the board to ask for a waiver. The construction will be done by June; lawns and landscaping in July. He did not think it would cause the township any harm or hardship.

MR. WURSTER MOVED TO EXTEND THE PERMIT FOR THE CONSTRUCTION OF THE COMMONS DRIVE TOWNHOMES FOR AN ADDITIONAL SIX MONTHS FROM EXPIRATION. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch commented that the township needs to be mindful as to how this is being structured. The permit fees are supposed to cover the costs to the township. They're not supposed to be revenue generating or cumulative. He indicated the 50 percent on a second permit is to recoup whatever costs the township has. If a workshop is held, he recommended taking a hard look at that.

SWOMLEY Chairman Swomley stated that it is mostly applicable to a larger project that would incur more costs over time.

RAUSCH Solicitor Rausch noted it's just 50 percent, but the developer goes past the one year, it's 50 percent of the original permit. There is no equivalency. That might work on a real small project, but \$28,000 when the township doesn't have any additional costs or minimal costs is problematic. He noted his opinion that a Court would require a refund to the extent that it is not covering township costs.

WURSTER Mr. Wurster indicated that it could be too big of a fee or it could be too little, depending on the nature of the project.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak commented favorably on the YAUFRR Annual Report, which was very thorough and comprehensive of all the YAUFRR activities last year. He had noted the section referred to as Mutual Aid, where YAUFRR goes to surrounding municipalities to provide aid and surrounding municipalities come to Springettsbury to assist. His concern surrounded the fact that the numbers do not suggest true Mutual Aid, and he questioned whether the taxpayers of Springettsbury are subsidizing the firefighting costs of surrounding municipalities. He requested each of the board members look at the report and provide some feedback based on the statistics. If there are any concerns, he would take them back to the next meeting of the YAUFRR Commission.

WURSTER Mr. Wurster commented that this date is the 40th Anniversary of the Three-Mile Island Nuclear Accident. He saluted all the township employees who were here during the days of anxiety for their commitment to the township over the last 40 years hence.

9. COMMITTEE REPORTS

A. Historic Preservation Committee – Annual Report

SMITH Steve Smith presented the Historic Preservation Committee Annual Report. He stated that the main activities are to go over the lists of the most historically significant sites and structures in the township. The list stands at a count of 107. Several additional items were reported:

- Comprehensive Plan Steering Committee - Historic Preservation Committee has two members on that: Dave Hetzel and Sharon Tapp. They get regular reports of how that committee is going.
- Camp Security Preservation Area: In October, the Camp Security Exhibit was open in the lobby. Good feedback had been received. In October Shippensburg University people made a presentation regarding the sites for the next dig tentatively planned for August into September. A number of volunteers have come forward. Cost of that dig is approximately \$21,400. Carol Tanzola plans to provide a Strategic Plan to the board in April.
- Historic Property Plaque Program is moving along nicely. The first batch of plaques sold out at \$150 and the second batch is nearly gone. Others are requesting plaques, but the committee is restricting the distribution.
- Historic Site Interpretive Panel Program – Focusing on panels for 12 township parks before expanding the program to sites along sidewalks and on properties of businesses. Working on content for other panels. The goal is to have the 12 Township panels finished for Saturday in the Park, during late in September. They plan to display all 12 during that program and then install them in the parks. **(Consensus of the board approval to do so).**
- Township Crest – A review of the Penn and Springett Family Crest was done. A fresh logo of Springettsbury’s crest was touched up.
- Donations to the Historic Preservation Committee Library and Archives. A Deed of Gift form has been created to be used by donors for any tax-deductible contribution. No large items will be accepted, and each item will be selectively received. Acceptable items would be old photographs, items that individuals have written in the past, old diary of things in the township, primarily paper goods, pictures, etc. He noted that they are going back further than when Springettsbury was founded or established in 1891.
- Fayfield Park – Mr. Smith is creating text for Fayfield Park, which was on the site of the first airport in York County in 2930. The airport failed in 1937, and

parcels were sold, first along Haines Road, then called Airport Road. Fayfield was established in 1947.

WURSTER Mr. Wurster questioned whether the Visitor and Tourism Bureau is aware of the Camp Security display.

SMITH Mr. Smith responded that he was not sure.

WURSTER Mr. Wurster indicated it would be good to contact them to make them aware of the display in the lobby, which might create some general interest.

SMITH Mr. Smith agreed and noted that the comments he had received so far were from residents walking around the park or when he's walking in the area.

TOMEVI Mr. Tomevi questioned whether the new York County Area Trust Museum will have a Camp Security Section.

SMITH Mr. Smith responded that they do and they are planning to have it in the center where it will be much more visible. He added that they are aware of the display in the lobby. The Reservation Desk there regularly sends people here when they ask about it.

MR. WURSTER MOVED THAT THE GIFT FORMS BE EXECUTED BY THE TOWNSHIP MANAGER. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

10. SOLICITOR'S REPORT

A. Solicitor's Report

RAUSCH Solicitor Rausch provided an update that a prisoner had served the township with a Pro Se Complaint arising out of a drug conviction.

11. MANAGER'S REPORT

A. Manager's Report

MARCHANT Mr. Marchant had provided a written report. He had several items to bring to the board's attention for direction:

- Amending Act 111 – Synopsis by Representative Diamond pertaining to Collective Bargaining Rules with Public Safety Unions. Mr. Marchant noted it is definitely in the Township's interest to secure parity in the bargaining position with the Union and control costs in the future.

Consensus of the board was approval to move forward including at PSATS.

- Mercantile Tax Issue – A Springettsbury business had been doing business for a period of years but had never received notice to pay the Mercantile Tax until

they sent York/Adams Tax Bureau notice that they had closed. In turn they were billed in arrears for the taxes due and penalties. Mr. Al Timko via Rep. Gillespie's Chief of Staff Mark Zerbe asked whether the township would be willing to waive the penalties that had been assessed retroactively. They had acted in good faith.

Consensus of the board was approval to waive the penalties.

MARCHANT Mr. Marchant added that they are closing that hole with Energov and the Occupancy Inspection Permit. That will be part of the notice that every business gets when they get their Occupancy Permit.

MARCHANT Mr. Marchant brought forward the DCNR Grant to be sought for Augustus Schaefer Park. If that grant is pursued it will move the Augustus Schaefer Park Construction Plans into 2020. This will leave room for discussion concerning the allocation of the 2019 CIP Funds allocated for Parks and Recreation. Depending on the board's decision, he wanted to have the direction early in the year for adequate time to plan and spend those funds for Parks and Recreation services.

WURSTER Mr. Wurster asked how many funds needed to be spent in 2019.

MARCHANT Mr. Marchant responded that there is \$20,000 allocated in the CIP and \$260,000 in our parks fees that must be spent within three years. Ninety-percent of those funds have been generated by the developments in the Northwest Quadrant of the township; the Pleasant Valley Tract, the Triplet Springs and other projects. They propose to use at least half of those funds as a match for the DCNR Grant to do Augustus Schaefer Park out of the 10-year old plan. Also the CIP funds are delegated for the proposed upgrades to the Amphitheater for audio and lighting that would enable the township to not have to rent sound equipment for every concert in the park during the season. There is support for investing in that upgrade this year and the quote could be approved to have that done before the Summer Concert Series begins.

MR. WURSTER MOVED THAT, UPON SUCCESSFUL AWARD OF THE DCNR GRANT FOR THE FUNDS FOR THE AUGUST SCHAEFER PARK, THAT THE BOARD OF SUPERVISORS HEREBY APPROVES ALLOCATING A 50 PERCENT MATCH FROM THE EXISTING RECREATION FEES AT THAT TIME. MR. TOMEVI WAS SECOND.

Consensus of the board was to hold any further action until a decision comes forth pertaining to the DCNR Grant to know what amount to allocate.

MR. DVORYAK MOVED TO PURSUE THE AV UPGRADES TO THE AMPHITHEATER. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. ORDINANCES AND RESOLUTIONS

A. 2019-36 – Disposition of Records

MR. TOMEVI MOVED TO APPROVE RESOLUTION 2019-36. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Interstate Widening Project Letter of Concurrence (Fayfield Park)

Action on this item was taken earlier during the Agenda.

B. DCNR Grant Application – Authorization to Request \$130,000 for Improvements to Augustus Schaefer Park

MR. TOMEVI MOVED TO HAVE THE TOWNSHIP PROCEED WITH SEEKING THE DCNR GRANT AS OUTLINED IN THIS MARCH 20, 2019 MEMO. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Old Business Listing

1. Evaluate Remainder of “Accessory Use” Ordinance (work session to be scheduled in second quarter of 2019)

FIELDHOUSEMs. Fieldhouse indicated she would like to wait until mid-May as the season had not yet started. She would like to have a survey of the township to learn how many accessory vehicles there are in the township.

SWOMLEY Chairman Swomley suggested getting something scheduled for May or June.

MARCHANT Mr. Marchant indicated he anticipated three Work Session topics, some of which could combined now and some later. One: Library Discussion; two: Buchart-Horn Architect Study; three: Accessory Use.

2. Resolution No. 2018-43 – Opposition to House Resolution 291 of 2018 re: Statewide Collection of Earned Income Tax.

HUMMEL Ms. Hummel stated that she is working on the report, but there are no updates on the EIT Tax at this point.

3. Mercantile/Business Privilege Tax Listing

HUMMEL Ms. Hummel stated that it is part of the year end audit.

7. Outstanding Sewer Bills – Possibility of Water Shut-Off

MARCHANTMr. Marchant responded that a proposal is forthcoming in the next week.

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WURSTER Mr. Wurster asked for the anticipated timeline to implement the Notice to the Individuals of the water shut off.

MARCHANT Mr. Marchant stated that when he received the proposal, he will schedule another Work Session to discuss the criteria, how much and how rigorous.

RAUSCH Solicitor Rausch added that an Ordinance will be necessary for that.

MARCHANT Mr. Marchant noted that during the next week he should be receiving the proposals for the Stormwater RFP's, which will prompt another Work Session.

SWOMLEY Chairman Swomley added that will be a Tax Discussion.

MARCHANT Mr. Marchant agreed, with the Water Quality Management Program. There had been previous discussion to implement this fee for July 1st, which he did not think would be feasible at this time. It will have to be pushed back to be ready for September to an October 1st implementation. Stormwater will be a separate utility process. There should be a lot of public awareness before implementation.

14. NEW BUSINESS

WURSTER Mr. Wurster asked Mr. Marchant if he had received any feedback from his article in the Newsletter.

MARCHANT Mr. Marchant responded that he had received quite a few comments, all very positive. His nextdoor neighbors found it very interesting and Fran Surdich noted she liked it as well. A number of people had commented positively to her when they came to pay their taxes, and a lot of people from church. It had been well received.

15. ADJOURNMENT

SWOMLEY Chairman Swomley reminded the board of the Executive Session to be held immediately upon adjournment. He adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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