

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 10, 2014
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 10, 2014 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Patricia Lang, Director of Community Development
David Wendel, Director of Parks and Recreation
Jack Hadge, Finance Director
Robert McCoy, YAUFRR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Lt. Todd King, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

DVORYAK Chairman George Dvoryak called the meeting to order and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

DVORYAK Chairman Dvoryak announced that no Executive Sessions had been held recently; however, one would be held immediately following the meeting this date to discuss Collective Bargaining and litigation matters.

3. COMMUNICATION FROM CITIZENS

TROTT Dave Trott, 3360 Druck Valley Road spoke against outsourcing the EMS. His main point was that residents do not want to lose their own EMS which had serviced the township since the 1950's.

CRUMLING Larry Crumling, 109 Lorenzo Court noted that during the election he had calculated that 72 percent of the voters wanted to maintain the local EMS services.

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WALTERMYER Julie Waltermyer, 290 North Main Street, York New Salem, and Kimberly Grim, 2795 Meadowbrook Boulevard, Manchester Township, stated that they work for Springettsbury Township EMS. They spoke in favor of their training, experience and professionalism, along with other EMS staff employees.

DVORYAK Chairman Dvoryak thanked Ms. Waltermyer and Ms. Grim for their comments and their service to the township.

KOWALIW Mike Kowaliw, 12 Wellesley Court, spoke in favor of continuing the Springettsbury Township EMS service. He had served the township in the fire service and the ambulance service for over 37 years. He cited some of the history of the Ambulance Club, an all-volunteer organization, which was one of the first in Pennsylvania to use an AED, having been approached by the state to become part of a AED feasibility pilot project.

HAKE Kitty Hake, a non-resident working at the Galleria Mall spoke in favor of retaining the EMS Service. She commented that the EMT's are very familiar with the Galleria and specific areas where injuries occur. She hoped they could continue to provide their excellent service.

MYERS Ken Myers, 3543 Heritage Drive noted that he was a lifelong township resident who had been in the fire service over 40 years and an EMT since 1975. He spoke in favor of retaining the EMS service. He added that the Ambulance Club will continue to fund ambulance vehicles if the township participates.

DELLINGER Dave Dellinger of 3553 Mark Drive spoke in favor of retaining the EMS service. He recently moved into the Township and had been a volunteer all his life in Hellam Township. He noted that the service is one of the better and perhaps the best in York County.

GAROFALO Mario Garofalo, 3385 Oakham Drive stated he is the Teamsters Local 776 Business Agent representing the Bargaining Unit of the EMS, Public Works and Wastewater. He stated that the contract negotiations had been going on since 2011. He stated that during the last session they were presented with a severance package for the EMS. He wanted to be sure that the board was aware of what took place. He would not allow for the subcontracting clause to come out of the contract and erode the Bargaining Unit. He hoped that the board would at least discuss it and move forward so that the contract can be completed.

HELLER Jane Heller, 1819 Idylwyld Road reminded the board that they are still waiting and hoping for efforts to save multiple historic buildings in the township that are at risk. She reiterated the possibility of providing ordinances and overlays, of suggestive

ideas for repurposing the historic properties. She hoped that Ms. Lang and the Historic Preservation Committee would move more aggressively with new people on the board.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill stated that he had submitted a written report and had no changes to add. He offered to respond to questions; however, there were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI John Luciani stated he, too, had submitted a written report and had no changes or updates to report. He offered to respond to questions.

LANDIS Ms. Landis asked about the traffic impacts with regard to a proposed 80-unit apartment complex at 114 Pleasant Valley and Mt. Zion Roads. She noted that he and Springettsbury Township representatives had attended a meeting concerning traffic and questioned what had been discussed.

LUCIANI Mr. Luciani responded that Ms. Lang and a representative from First Capital Engineering attended the meeting, which was a PennDOT Scoping Meeting to discuss intersections. He noted several points:

- Intersections –Township is not opposed to an entrance from Mt. Zion; right-in, right-out turn; developer would be required to make traffic upgrades.
- Scoping meetings provide coordination of other projects going on in the vicinity.
- Triplet Springs project going in on the north side of Pleasant Valley Road.
- Red Robin will have some traffic impact.

LANDIS Ms. Landis expressed concern with the fact that an 80-unit apartment building complex with two cars per unit would average approximately 160 cars trying to exit and enter the area.

LUCIANI Mr. Luciani responded that the average traffic for an apartment complex, six trips per day and in peak hours one per day is normal. A queue analysis will be done, especially around shopping centers with the peak hours on Saturday at 1 p.m. and weekdays between 5:30 and 6:30 p.m. on Pleasant Valley Road. That report will be reviewed and it is hoped that additional capacity will be added to the intersection. He indicated the project is in the very early stages.

LANDIS Ms. Landis indicated she would continue to request updates as it is a grave concern for her.

LANDIS Ms. Landis questioned his comment on the number of signals, the use of a 50 percent match and possible grant money.

LUCIANI Mr. Luciani responded that a new traffic adaptive signal costs approximately \$200,000 to install. PennDOT is preparing to evaluate corridors such as Market Street and Route 30 to have an adaptive signal control and move more traffic. The developer of Home Depot at Market and Mill Streets provided some funds to mitigate traffic, and although there is no battery backup or LED, that might be an example through the Tom Corbett Program to get a 50 percent match for improvements. There are other intersections in the township where that could be applied as well and as properties are redeveloped in the township, they have been

PHAN Ms. Phan thanked Mr. Luciani for accomplishing the line painting on Route 24 and Market Street.

5. CONSENT AGENDA

- A. Board of Supervisors Conditional Use Hearing Minutes – March 13, 2014
- B. Board of Supervisors Conditional Use Hearing Minutes – March 27, 2014
- C. Board of Supervisors Regular Meeting Minutes – March 27, 2014.
- D. Regular Payables as Detailed in the Payable Listing of April 10, 2014
- E. LD-13-03 – Time Extension – First Capital Federal Credit Union – Plan Expires 06/16/14
(New Plan Date 08/28/14)

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH E. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Advertise for Receipt of Sealed Bids – 2014 Road Materials

MR. SCHENCK MOVED TO AUTHORIZE THE SEALED BIDS FOR THE 2014 ROAD MATERIALS. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-14-01 – Red Robin – 07/22/14 (Action)

LANG Ms. Lang presented background information for LD-14-01, Red Robin Restaurant, Final LDP, all of which was documented in a board Plan Summary dated April 10, 2014. The land development plan proposed the construction of a 219-seat Red Robin restaurant within the existing parking lot of the Galleria Mall. This will be a 6,400 square foot building with no drive through service. Main access to the facility will be from the primary mall entrance off Mt. Zion Road. Ms. Lang presented a

PowerPoint overview of the project. There were a number of Administrative Issues, which she determined as minor conditions. Storm Water Management Issues include the need to demonstrate the adequacy of the existing pond. She asked David Miller of Rettew, who represented the plan, to explain.

MILLER Mr. Miller thanked the township staff and consultants who had assisted them through the development of the project. He brought forward the item of storm water management. They had attempted to obtain information on the basin as far as the design and volume, rate controls, reports and plans. They had not been able to obtain any of that information. Neither the township nor the design engineer at the time, C. S. Davidson, had any documentation indicating the basin was adequate and approved. Regulations were different in the late 1980's, early 1990's at the time the mall was constructed; however, it met the requirements at the time. Mr. Miller noted that because their project is being built in the parking lot area, they are reducing the amount of impervious coverage. They had reworked the layout and created lawn areas throughout the project area. In addition, they are providing some islands that were not there. They are providing curb cuts that will allow the runoff from the parking lot through lawn areas and filtered through the grass into the inlet system.

SWOMLEY Mr. Swomley asked Mr. Luciani if he agreed that there would be a net decrease in the amount of runoff.

LUCIANI Mr. Luciani responded that that he did not disagree with anything Mr. Miller reported with regard to a reduction in the volume of runoff. He noted that it is a difficult position inasmuch as there is no information available as to the design standards when the Galleria Mall was built.

LANDIS Ms. Landis questioned how future issues could be addressed if the project moved forward. She posed a scenario with a major storm where the basin filled up and flooded the road. She asked who would be held responsible.

LUCIANI Mr. Luciani responded that there was basin work completed with inlet and outlet pipes. His difficulty is not knowing what the basin was designed for initially. He stated that the Galleria would be ultimately responsible for any increase in runoff. He was not aware of any flooding problems in that area for over a decade. He noted they had secured a letter from Mr. LeCates indicating that the basin complied with requirements.

SWOMLEY Mr. Swomley questioned whether it was fair to say that there is a net reduction in runoff with this plan.

LUCIANI Mr. Luciani responded that there is a net reduction. There is more grass with the building there, along with the addition of a few parking lot islands, than there was before any development. This would not exacerbate the problem.

SWOMLEY Mr. Swomley observed that, leaving it the way it is would actually be potentially more harmful to runoff than building Red Robin.

LUCIANI Mr. Luciani agreed that they are making a small incremental improvement in the amount of water quality by adding more islands with less pavement and by collecting some of the water.

SCHENCK Mr. Schenck noted that some things had been addressed, and they are doing some of the best practices the best that they can. If the board granted the waivers, he asked whether the items they indicated would occur.

MILLER Mr. Miller responded that they are committed to doing so.

SCHENCK Mr. Schenck commented that the board knows where there are storm water problems, and he had never heard of a problem with that particular basin. He was comfortable with the plan.

PHAN Ms. Phan observed that without the evidence to prove anything, they are doing what they need to do. She felt that was sufficient.

LANDIS Ms. Landis commented that the restaurant would be solely within the parking lot. She questioned whether they are taking any of the grassy area.

MILLER Mr. Miller responded that they are maintaining the grass strip and will expand the small island in the corner. In addition, they will improve the traffic flow in front of the restaurant to provide more sight distance.

MR. SCHENCK MOVED FOR THE APPROVAL OF FINAL LAND DEVELOPMENT 14-01 KNOWN AS THE RED ROBIN WITH THE SEVEN ADMINISTRATIVE ISSUES LISTED ON THE MEMO GRANTING WAIVERS FOR ITEMS 8 AND 9 RELATED TO STORM WATER AND STILL KEEPING CONDITION NUMBER 10 AS LISTED ON THE MEMO. MOTION UNANIMOUSLY CARRIED.

B. Historic Preservation Committee Update

TAPP Ms. Sharon Tapp, a newly-appointed representative of the Historic Preservation Committee provided an update for their Committee. She thanked the board and Mr. Holman for approving her application and expanding the Committee with the addition of Steven Smith, a local historian and Kevin Eck, also a historian along with the backing of Community Development Director, Patricia Lang. She noted that a

representative of the Committee will attend the board meetings each month. She read a report of the Committee's recent activity, which included:

- Membership in both the York/Adams Regional Smart Growth Coalition and the National Alliance of Preservation Commissions which will provide preservation tools.
- A review is underway of historic buildings in the township in an attempt to focus on 100 properties.
- Historic structures, culture and heritage are being identified.
- Some action is underway geared toward specific sites currently at risk, such as 2901 Whiteford Road with both the house and large sycamore tree dating back to 1755. An arborist reviewed the dimensions of the tree, performed some calculations which indicated it truly dates back to 1755 and therefore, it is a Witness Tree. There are clear concerns about the house and the tree.

Ms. Tapp concluded that their Committee meets every fourth Thursday of the month in the township offices at 12:30 p.m. The meeting is open to the public and she invited any of the board members to attend.

DVORYAK Chairman Dvoryak thanked her for her service and volunteerism. He advised that he planned to attend one of the meetings.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked Mr. Holman what the township's policy for employment advertising is. She was interested specifically in the EMT vacancies.

HOLMAN Mr. Holman responded that the postings had been done in the EMS area, as well as posted through the township buildings in accordance with the Collective Bargaining Agreement.

LANDIS Ms. Landis questioned what the policy would be as far as placing vacancies on the website.

HOLMAN Mr. Holman responded that nothing further would be done until all requirements of the Collective Bargaining Agreement had been completed.

LANDIS Ms. Landis asked about the time frame.

SPEICHER Mrs. Speicher responded that the timing is seven days in the EMS Office. Following that seven days it is posted in all of the other offices that are part of the Collecting Bargaining Agreement for a minimum of seven days.

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LANDIS Ms. Landis questioned if it expired after that amount of time, what will be done in accordance with township policy.

HOLMAN Mr. Holman responded that he would review it further with Mrs. Speicher.

LANDIS Ms. Landis noted that she had not seen any EMT job listing on the website, and her concern is that if there are only five EMT's how many hours an EMT can work per shift. She noted it would place a lot of overtime on the EMT's.

MCCOY Chief McCoy responded that they had been using 36 hours in the fire department, but EMS is subcontracted with Memorial.

LANDIS Ms. Landis asked whether any of the current EMS personnel are working 36-hour shifts.

MCCOY Chief McCoy indicated he would have to review the time sheets to see how consistently they are working beyond their normal shifts.

LANDIS Ms. Landis asked whether, following the time frame and the advertisement for the position, it would be placed on the website and on career board sites.

HOLMAN Mr. Holman reiterated that he would review the position with Mrs. Speicher and Chief McCoy for a determination of future advertisement for the position.

LANDIS Ms. Landis asked for a follow up of the matter.

HOLMAN Mr. Holman responded that he would be happy to provide a report to the board.

LANDIS Ms. Landis stated that she had received an email from a resident with regard to the Canadian Geese that migrate to Springettsbury Township. She had forwarded the email to the board members, and she read the email. The resident asked if it would be possible to erect some warning signs focusing on the geese crossing the roads with their goslings. He asked whether the business owners in the strip mall on Whiteford Road might contribute toward some signage. The resident personally, would be willing to contribute as well. Ms. Landis would like to respond back to the resident as to the board's direction.

PHAN Ms. Phan stated that she did not think signs could be placed everywhere because they cross in many different areas. It would need to be narrowed down to specific areas. She noted that investigation could determine what the residents and the commercial business owners think. If it is something they are interested in doing, she did not see any downside.

HOLMAN Mr. Holman stated that the signs would be cautionary signs, which must be according to PennDOT standards. He offered to investigate the cost. It would show an adult duck with ducklings trailing.

LUCIANI Mr. Luciani added that private signs are not permitted in a public right-of-way. They must comply with the Manual for Uniform Traffic Control; they are licensed and are standard signs.

HOLMAN Mr. Holman asked for the board's direction.

SCHENCK Mr. Schenck commented that he didn't think there was any harm in gathering costs.

DVORYAK Chairman Dvoryak had no objection either but questioned whether it would be effective given that most people ignore speed limit signs.

SWOMLEY Mr. Swomley noted if there was a deer problem that was killing people, there would be a lot more about which to be concerned.

SWOMLEY Mr. Swomley commented that a number of residents had contacted him about road sweeping. He mentioned this to Mr. Holman, who advised that the schedule will be up on the website and on Facebook.

HOLMAN Mr. Holman added that the Facebook page will be updated as to where the street sweeper planned to operate. He noted that it is weather dependent.

PHAN Ms. Phan commented for the residents in attendance that the township is placing a lot of information on the Facebook page and on the website. It's a great way to get information and learn what is happening.

9. SOLICITOR'S REPORT

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

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had provided a Resolution for the board's approval following the presentation on the Creative Playground.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2014-38 – PennDOT Sidewalk Maintenance Agreement for I-83 Exit 18 Project (Mt. Rose Avenue and Camp Betty Washington Road)

MR. SCHENCK MOVED TO APPROVE RESOLUTION 2014-38. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

- A. Authorization to Apply for Grant through DCNR for Replacement of Creative Playground through Community Build Project.

HOLMAN Mr. Holman stated that the Creative Playground upgrade had been discussed for some time. He indicated that David Wendel was prepared to provide a PowerPoint presentation to bring the board up to date on the proposed planning. The Creative Playground is a Capital project, and a grant is available for the township to apply in an amount of about \$200,000 to go toward replacement of this playground. A Resolution would be needed indicating that over the next three years the township would commit \$278,000 towards the replacement. It would be a Community Build program.

WENDEL Mr. Wendell thanked Mr. Holman and indicated that the Parks and Recreation Department requests authorization to apply for the grant through the Department of Conservation and Natural Resources to replace equipment at the Creative Playground and for site improvements. Mr. Wendell presented a PowerPoint overview to update the board on the current condition of the playground. It included: Playground Improvements, Creative Playground History, Playground Maintenance, Guidelines and Standards, Inspection Reports and Plans, Playground Layouts, Playground Concerns, Playground Hazards, Repairs, Retrofits and Removal, Community Response, Concept Plan, Replacement and Cost. A commitment to proceed is due Wednesday, April 16, 2014.

To be bid: \$474,274
Public Works In-Kind: \$27,800
Grant 50% Match: \$274,274
Total Cost: \$302,074
Grant Request: \$200,000 DCNR
Total Project Cost: \$502,074

LANDIS Ms. Landis commented that the subject had been discussed during the budget season. At that time there was a capital expenditure suggested of \$1.5 million, which was not discussed further. Currently, the cost is much less at \$502,074. She asked what changed.

WENDEL Mr. Wendel responded that he had presented improvements to the entire south west corner of Springettsbury Park. The \$1.5 million represented not only replacing the Creative Playground, but also a parking area, a skate park, and perhaps a splash park and additional play areas. The Parks and Rec board had placed the Creative

Playground in a Priority #1 status for replacement, and the proposed costs include only the Creative Playground.

LANDIS Ms. Landis asked additional questions:

- How many incident reports were received and was EMS called? None; minimal cuts, scrapes.
- Public Works considered in-kind when services versus actual cash are performed.
- Terms and conditions of the grant – DCNR recommended the application for \$200,000.
- Time Frame for grant award: December, 2014; funds received First Quarter 2015. Three years to use the funds – 2017 would be the deadline.
- \$274,000 could be secured from (1) Surplus, (2) included in Line of Credit bond with fire station, (3) corporate and private donations. Investigation will continue to secure additional funding.

Ms. Landis commented that with the number of parks in the township (11) including the Walters property of open space, there are many projects in the township that take precedence over playground improvement. She did not favor the suggested methods of securing funding and would not be in favor of the project.

SWOMLEY Mr. Swomley noted that Springettsbury is a premier community with shopping and restaurants all around the area. The park activities draw from the surrounding community. The Mercantile taxes are the number two source of income. Having a vibrant community with people coming in here using the facilities and shopping and using restaurant services can actually be a good thing for the township.

PHAN Ms. Phan commented that after the grant the township would be required to provide \$274,274; \$10,000 a year is spent in maintenance. A New playground could last a very long time if maintained properly. She noted that one of the conveniences of the park is walking, and a lot of families walk to the park. There are three years to properly budget for the project, and if that can be done, she would be in favor if it.

WENDEL Mr. Wendel interjected that the Department of Conservation and Natural Resources had invested a great deal of funding for Springettsbury Park, Penn Oaks Park, Master plans for the Comp Plan, and acquisition of the Walters property. They see that there is a plan in place, and all of that is part of the grant application process.

PHAN Ms. Phan stated that she felt it important for the township to think forward in the Strategic Planning. The mention of a skate park for the children needs to continue. Having the separate areas in the playground will be important. She concluded that it

was very important to be responsible for the children and provide something for them to do.

SCHENCK Mr. Schenck indicated he was 100% in favor of it. This project had been reviewed and discussed over the last four or five years. In the previous build the community rallied around that build, and the community can be re-energized again. He stated he was completely comfortable with the planning and to moving forward.

DVORYAK Chairman Dvoryak stated for clarification that at this point the township would be apply for the grant, and the timeline would be to hear something by December. That would indicate the earliest construction would begin is 2015. He questioned whether there would be an obligation to accept the funding and/or could it be returned if the township budget would not provide enough money for the project.

WENDEL Mr. Wendel responded that there would be that option available.

DVORYAK Chairman Dvoryak asked how the plan design and costs were secured.

WENDEL Mr. Wendel responded that public meetings were held with the current playground vendor, which had experience organizing and coordinating a Community Build.

DVORYAK Chairman Dvoryak commented that he understood as soon as the older playground was built, the growth had overtaken that park. He questioned whether the proposed design would allow for future growth and use of the facility.

WENDEL Mr. Wendel responded that the growth had been phenomenal. For future growth, additional space is available for expansion. The playground design has many more play features than the current playground.

DVORYAK Chairman Dvoryak stated that, for the same reasons he had heard voiced by others on the board endorsing the plan, he supported the plan as well. One of his reasons included the fact that the dedicated group of volunteers on the Parks and Rec Commission had spent a great deal of time going through the process. They had indicated this is their #1 priority project, and he would not get in the way of that. They have done their job. He thanked the Parks and Rec volunteers for their efforts to get to this point.

LANDIS Ms. Landis noted the \$87,560 line item amount for the play equipment installation community build. She asked how they had calculated that number on the proposed budgets.

SCHENCK Mr. Schenck responded that he had been at the meeting and could respond. The \$87,560 was the estimate of what it would cost if a contractor were hired to erect it.

Part of the proposal on the table is to do a community build which results in the cost of zero.

HOLMAN Mr. Holman noted that he had provided the board with a Resolution authorizing application to the Department of Conservation and Natural Resources for Springettsbury Park Playground Replacement.

MR. SWOMLEY MOVED TO AUTHORIZE THE RESOLUTION TO APPLY FOR THE DCNR GRANT FOR REPLACEMENT OF THE CREATIVE PLAYGROUND THROUGH A COMMUNITY BUILD PROJECT. MOTION CARRIED 4/1. MESSRS. DVORYAK, SWOMLEY, SCHENCK, AND PHAN VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Request for Tax Year 2013 – Commonwealth of PA Department of Transportation (Parcel #46-11-65) in the amount of \$111.27.

MR. SCHENCK MOVED TO APPROVE THE TAX REFUND FROM THE COMMONWEALTH OF PENNSYLVANIA IN THE AMOUNT OF \$111.27. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

DVORYAK Chairman Dvoryak reminded the board of the Executive Session to be held immediately following adjournment. He adjourned the meeting at 9:30 p.m.

Respectfully submitted,

John Holman
Secretary

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