

The Springettsbury Township Board of Supervisors held a Development Authority Meeting on Thursday, June 14, 2018 at 6 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman (via Skype)
George Dvoryak, Vice Chairman
Kathleen Phan, Secretary/Treasurer
Blanda Nace
Charles Wurster (Arrival 6:10 p.m.)

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Charles Rausch, Solicitor
Teresa Hummel, Finance Director
Jessica Fieldhouse, Director of Community Development
Jean Abreght, Stenographer

1. CALL TO ORDER

DVORYAK Vice Chairman George Dvoryak called the Development Authority meeting to order at 6 p.m.

2. CERTIFICATION OF QUORUM

DVORYAK Vice Chairman George Dvoryak certified that a Quorum was present noting that Chairman Swomley would be attending via Skype.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF MINUTES

- A. Development Authority Regular Meeting Minutes – June 22, 2017
- B. Development Authority Reorganization Meeting Minutes – January 2, 2018

MS. PHAN MOVED TO APPROVE MINUTES NOTED AS A AND B. MR. NACE WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. RESOLUTIONS / MOTIONS

There were no Resolutions or Motions for action.

6. NEW BUSINESS

- A. Acknowledge Receipt of 2017 Audit Report for Springettsbury Township Development Authority – Year Ending December 31, 2017

MS. PHAN MOVED TO ACKNOWLEDGE RECEIPT OF 2017 AUDIT REPORT. MR. NACE WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Amendments to Scope of Authority

MARCHANT Mr. Marchant introduced a proposal put forth by Supervisor Wurster that, with Solicitor Rausch’s assistance, has put together an Amended Scope of the Development Authority. He asked Solicitor Rausch to discuss the amendments.

RAUSCH Solicitor Rausch provided background of the original creation of the Development Authority. The Authority was used as a financing vehicle for the York Town Center, as well as the purchase of the Med York building at the corner of Whiteford and Mt. Zion Roads. Those projects have been completed.

Solicitor Rausch continued that Supervisor Wurster, through his banking background, became aware that there were certain non-profits looking for financing and banks to do tax-exempt financing that could be done through an Authority. This could be a vehicle of tax-exempt financing for manufacturing projects or for non-profits; projects done that would enhance public welfare, or for qualifying federally tax-exempt projects.

A lengthy discussion took place, and a summary of main points follows:

- Authority would make revenue through charging a fee. Bank would be loaning the funds to the Authority; Authority would loan funds to non-profits; through documentation the non-profit would repay to the bank.
- Authority would not have any guarantee responsibility for the monies.
- Proposal is presented to the Board of Supervisors to create a separate authority; could create a Storm Water Authority and create storm water districts with assessed fees for ongoing storm water projects and set fees, planned projects.
- Potential for York County creating its own storm water authority but would not prohibit the township from creating its own authority. Whether the township would continue to have its own NPDES requirements is uncertain but would be covered with a township storm water authority.
- Public-private partnership is a new legislative concept; applies to Commonwealth infrastructure. Flexible with public/private entities; useful in bidding process for infrastructure projects. Could be useful if Penn National wanted a casino and some projects needed to be done; could be applied to those circumstances.
- Development Authority consists of the Board of Supervisors. Decisions needed as to create separate authorities or appoint individuals to that or keeping it all under one umbrella. Creating an additional authority would require another five members.

SWOMLEY Chairman Swomley questioned whether putting all of the items into one Authority would prohibit the creation of another Authority in the future.

RAUSCH Solicitor Rausch responded that it would not prohibit it. It would involve taking power from one authority and giving it to another.

NACE Mr. Nace noted there could be multiple municipal authorities created under the same municipality with the same purpose but different functions. He added that it would be better to have a broader power in place.

WURSTER Mr. Wurster added that there could be subcommittees under the authority including some volunteers who would then submit projects to the Development Authority for action.

RAUSCH Solicitor Rausch indicated there would be no prohibition to creating committees under an authority.

WURSTER Mr. Wurster noted it could be an interim step until such time as there is a need for a separate authority for a particular action.

MARCHANT Mr. Marchant questioned Solicitor Rausch whether all the authorities permitted under the Municipal Authorities Act would be a general Municipal Authority.

RAUSCH Solicitor Rausch agreed and added that there would be advertising requirements, and the board would have to adopt a Resolution for the Amendments.

SWOMLEY Chairman Swomley questioned the timing of doing so and asked if that would include a Notice of Public Comment.

RAUSCH Solicitor Rausch responded that he was correct.

NACE Mr. Nace indicated he would like to review the entire Articles of Incorporation and Bylaws.

MARCHANT Mr. Marchant responded that they were sent out to the board members.

RAUSCH Solicitor Rausch stated that he planned to double check the process. He commented that it would require some advertising, perhaps a hearing, and 30 days before action on the Resolution would be needed for advertising. He indicated that within the next month the board could act on the Resolution and be adopted.

SWOMLEY Chairman Swomley stated that during the meeting to follow, this date, the board could vote to move this item forward.

RAUSCH Solicitor Rausch stated that during the July meeting of both the Board of Supervisors and the Development Authority everything could be approved.

WURSTER Mr. Wurster mentioned that one of the items being explored is to develop a Fee Schedule. It would make sense during the Development Authority meeting to deliberate that during the July meeting. No amendment is in place and the July meeting would be a reasonable schedule.

NACE Mr. Nace stated that the proper action for this date is for the Authority to authorize the submission of the amended Articles of Incorporation to the Commonwealth.

SWOMLEY Chairman Swomley questioned whether it's authorization or a request of the Board of Supervisors.

RAUSCH Solicitor Rausch responded that the Authority board would approve the proposed amendment and recommend that it be submitted to the Board of Supervisors for approval.

MR. NACE MOVED TO SUBMIT THE PROPOSED AMENDMENT TO THE SPRINGETTSBURY TOWNSHIP BOARD OF SUPERVISORS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. OLD BUSINESS

There was no Old Business for discussion.

8. ADJOURNMENT

DVORYAK Vice Chairman George Dvoryak adjourned the meeting at 6:18 p.m.

Respectfully submitted,

Kathleen Phan
Secretary

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