

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 11, 2014
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 11, 2014 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Chairman
Julie Landis, Vice Chairman
Mark Swomley, Asst. Secretary/Treasurer

MEMBERS NOT

IN ATTENDANCE: Bill Schenck
Kathleen Phan

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Buchart-Horn, Inc.
Dori Bowders, Interim Administrator
Patricia Lang, Director of Community Development
Jack Hadge, Finance Director
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Lt. Todd King, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

DVORYAK Chairman George Dvoryak called the meeting to order at 7 p.m. He welcomed the attendees. He announced that Mr. Schenck and Ms. Phan would be unable to attend the meeting. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. September 11, 2014 – 6:30 p.m. – Personnel

DVORYAK Chairman Dvoryak announced that an Executive Session had been held prior to the Regular Meeting this date at 6:30 p.m. to discuss a personnel matter.

3. COMMUNICATION FROM CITIZENS

BOSOVICH Nick Bosovich, 3869 Conifer Court in the Pleasantrees subdivision reported a problem/issue occurring with his property. He noted that flood water is coming on to his property from several sources and had caused \$10,000 worth of damage to his property several years ago. He had worked with an architect to do some regarding to create a swale and create a berm to direct water into a retention pond. He had photographs which he provided for the board. A lengthy discussion took place and is summarized:

- Northwest corner of his property is where some of the damage comes from.
- A portion of the grading work needed to be done in an area currently owned by the developer and will become a township park.
- Township indicated he can't move forward with his plan due to access and an easement.
- Referred back to the developer, who indicated they can't do anything because the land will be turned over to the township.
- Township cannot force the developer to do anything.
- Basin needs to be converted from a erosion control basin to a storm water basin. This will be done by the developer estimated within 60 days.
- Developer has incentive to get the basin work done, as-builts prepared and land turned over to the township in order to build additional houses.
- Township has no problem with the developer and the architect working together to correct Mr. Bosovich's property issue.
- Problems affect only Mr. Bosovich's home built and occupied in 2009.

HELLER Jane Heller, 1819 Idylwyld Road, spoke concerning the speeding cars down Memory Lane Extended. She reported cars doing 50 miles an hour down the street causing great difficulty getting out of her street. In addition, speeding cars are unable to stop when school buses are at their stops, many seen going around the school bus. Speed humps had been previously discussed, and she had taken a petition around her neighborhood and secured over 85% of the signatures required. Police presence had very limited results. Placing a speed hump at the top of the hill and another mid-way down the hill would greatly diminish the speed.

LUCIANI Mr. Luciani reported previous traffic studies in the area revealed southbound movement was 27 miles per hour in the 85th percentile; northbound movement up the hill was 26 miles an hour.

DVORYAK Chairman Dvoryak suggested that Ms. Heller leave the petition with Mrs. Bowders, and suggested that the townships counters do another speed study,

which will verify current traffic speed. He thanked her for her report to the township.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written report for the board. He noted he had no changes and offered to respond to any questions. There were no questions.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had submitted a written report as well and reported several updates.

- Alpine Road – D. H. Funk, Contractor, will begin the project in the next few weeks. He was given 60 days to complete the work.
- Fineview Drive – Mr. Luciani had provided the board with the bid results. He had advised that the contractor will hold his bid if he can start the work in March, 2015. A coordination meeting will be held with the gas company due to the necessity to relocate their gas main, which was not budgeted. A letter will be sent to the residents to inform them that the work will not be done during the 2014 calendar year due to the utility conflict.
- Norfolk Southern Railroad Bridge – Mr. Luciani spoke with York County Planning Commission, Planning and Traffic Departments concerning the bridge. Heather Bittner was writing a plan as the bridge needs a significant amount of work. The YCPC recommendation will be that they eliminate that bridge and have an at-grade crossing at Davies Drive. Mr. Luciani advised that he thought the township would be supportive.

RAUSCH Solicitor Rausch noted that the project may be another joint effort.

SWOMLEY Mr. Swomley commented that it was a subject that could be brought to the Advisory Committee and also as a recommendation to York County Planning. He noted that he would be attending a meeting on Monday, September 15th, and would discuss the subject.

8. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire and Rescue Commission Fire Pension Board Minutes – May 20, 2014.
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – July 15, 2014.
- C. Board of Supervisors Regular Meeting Minutes – August 28, 2014
- D. Regular Payables as Detailed in the Payable Listing of September 11, 2014.

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

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS.

**MR. SWOMLEY MOVED TO AUTHORIZE ADVERTISEMENT FOR BIDS FOR
POLYMER. MOTION UNANIMOUSLY CARRIED.**

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-08-14r – Towneplace Suites by Marriott Revised – Request to Modify Recorded Land Development Plan to Remove Pedestrian Bridge – 9/25/14

DZURAMN Attorney Steve Dzuramn represented AVA Realty York with regard to the Towneplace Suites. He was accompanied by A. J. Patel, a Principal of the applicant, Chris Hoover of Hoover Engineering and Mary Sikowski, Director of Operations of Keystone Management, which manages the hotels. Mr. Dzuramn provided a brief background of the chain of events that had taken place during the planning of two hotels and the scenario that had occurred with regard to the pedestrian bridge.

The plan had been approved in 2009 for two hotels with a pedestrian bridge between; one was built; second was re-approved in 2011. Marriott then indicated a bridge would not be permitted. It was assumed that the bridge had been subsequently removed administratively but found when applying for their bond that the bridge remained in the plan. They had appeared before the Planning Commission with this case.

SWOMLEY Mr. Swomley responded that a portion of the issue remained that the street lights must be working along Butterfly Commons in order for an agreement to be presented and the bridge eliminated from the plan.

DZURAMN Attorney Dzuramn had communicated with Hunter Emerson, Equity Industrial Partners and Mr. Garrett McMillan. He had been advised that it was not their responsibility to fix the street lights, and they had since ceased communicating with him.

RAUSCH Solicitor Rausch noted that there had been an email in September 30, 2010 from Jim Baugh, then Community Development Director, to Mr. Patel indicating that the plan had been approved with a condition being the pedestrian bridge. Subsequently Harish Rao's briefing attached included the bridge in a recommended motion approved by the Planning Commission. Mr. Baugh had

advised the developer what was needed to remove the bridge, to file an amended plan, and that was not done. The only remaining issue is the street lights.

PATEL Mr. Patel noted that he had been unaware that the bridge was not removed until he requested the bond release. With regard to the street lights, he had secured an estimate, either \$7,000 or \$15,000 which he thought was high. Where the wire supposedly was cut wasn't on the Towneplace Suites property; it was on the other hotel's property on the corner of Concord and Butterfly Commons.

RAUSCH Solicitor Rausch stated that Mr. McMillan advised that the line was cut when A.J. Enterprises was building the Marriott Courtyard on Lot #5. They cut the electrical service which operates the street lighting in the parking lot. The township found the problem when it occurred and brought it to their attention because it is a township requirement.

LANDIS Ms. Landis asked how much money was involved in the bond.

LUCIANI Mr. Luciani responded that the bridge was valued at \$50,000. She suggested they just move forward and fix the lights in order to secure their bond.

MR. SWOMLEY MOVED TO AUTHORIZE AN AGREEMENT REMOVING THE BRIDGE CONDITIONED UPON SATISFACTORY OPERATION OF THE LIGHTING IN QUESTION. MOTION UNANIMOUSLY CARRIED.

PATEL Mr. Patel stated for clarification that the bond would then be released at that time.

LANDIS Ms. Landis responded that the bond would then be released.

B. Traffic Improvement Agreement – First Capital Federal Credit Union – Charlie Rausch

RAUSCH Solicitor Rausch stated that the item would be continued until the next meeting.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis recognized that this date, September 11th, was a tragic day for the United States. She wanted to thank all the First Responders for putting their lives out there every day. She asked that the families and all those who were affected that day be remembered.

DVORYAK Chairman Dvoryak mentioned that a reception will be held to meet and greet the new Township Manager. The reception will be held at 5:45 p.m. just prior to the Regular Board of Supervisors meeting on September 25th.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch noted two items for the board. First, he requested approval of two Workers Comp settlements for Officers Jamie Miller and Jen Kennedy. The request will reimburse them for their leave time needed in order to recuperate from their responding to the tragic death of Officer Kennedy. Solicitor Rausch recommended approval.

MR. SWOMLEY MOVED FOR APPROVAL OF THE WORKERS COMP SETTLEMENT FOR OFFICERS JAMIE MILLER AND JEN KENNEDY. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch requested authorization to advertise an inter-governmental cooperation ordinance covering a multi-jurisdictional adaptive signal system with Spring Garden Township for a light at Mt. Rose Avenue as part of the Exit 18, I-83 project.

MR. SWOMLEY MOVED FOR AUTHORIZATION TO ADVERTISE AN INTER-GOVERNMENTAL COOPERATION ORDINANCE FOR THE SEPTEMBER 25, 2014 AGENDA. MOTION UNANIMOUSLY CARRIED.

10. MANAGER'S REPORT

BOWDERS Ms. Bowders noted there was nothing additional to report other than what had been distributed to the board members.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12. OLD BUSINESS

A. Harvey Subdivision – Escrow/Attorney Fees

MR. SWOMLEY MOVED TO DENY THE REQUEST BY MR. HARVEY TO REIMBURSE HIS ATTORNEY FEES. MOTION WAS DEFEATED 2/1. MESSRS. SWOMLEY AND DVORYAK VOTED IN FAVOR; MS. LANDIS VOTED OPPOSED.

B. Review of 2010 Series AA Sewer Bonds Refunding Bank Proposals – Jack Hadge

MR. SWOMLEY MOVED TO ACCEPT THE PROPOSAL BY THE TREASURER TO MOVE THIS TO SUSQUEHANNA BANK FOR A FIXED RATE OF 2.67% FOR 13 YEARS FOR THE FULL TERM OF THE NOTE; AND TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE DOCUMENT. MOTION UNANIMOUSLY CARRIED.

**MR. SWOMLEY MOVED FOR AUTHORIZATION TO ADVERTISE ORDINANCE.
MOTION UNANIMOUSLY CARRIED.**

13. NEW BUSINESS

- A. Request for exemption of Petitioned Street Lighting Tax – 4001 Pleasant Valley Road
(Letter from Evelyn Chronister) – Trisha Lang

**MR. DVORYAK MOVED THAT THE REQUEST FOR EXEMPTION OF PETITION
STREET LIGHTING TAX FOR 4001 PLEASANT VALLEY ROAD BE DENIED AND
INCLUDE IN THE MOTION A RECOMMENDATION THAT THE PLANNING
COMMISSION CONDUCT A REVIEW OF THAT PARTICULAR ORDINANCE TO
SEE WHETHER ANY CHANGES ARE WARRANTED TO MEET THE TRUE
INTENTION AND SPIRIT OF THAT ORDINANCE AS IT WAS ENACTED. MOTION
UNANIMOUSLY CARRIED.**

14. ADJOURNMENT

DVORYAK Chairman Dvoryak adjourned the meeting at 8:48 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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