

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 12, 2013
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 12, 2013 at 7 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Patricia Lang, Director of Community Development
Jack Hadge, Finance Director
Betty Speicher, Director of Human Resources
Lt. Todd King, Police Department
Sgt. Stefan Kochanski, Police Department
Robert McCoy, YAUFRR Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

BISHOP Vice Chairman Don Bishop called the meeting to order. He reported that Chairman Schenck would not be present.

B. Pledge of Allegiance

BISHOP Mr. Bishop led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. August 22, 2013 (immediately following 7:00 p.m. regular meeting)

BISHOP Mr. Bishop announced that an Executive Session took place August 22nd following the last regular meeting to discuss real estate issues and to discuss the lawsuit filed by Supervisor Landis against the township, himself and Mr. Schenck.

3. COMMUNICATION FROM CITIZENS

- SOWERS** Luther Sowers, 16 North Royal Street, spoke with respect to his leadership as Chairman of the Springettsbury Township Historic Preservation Committee. He stated that the Committee's concern is in regard to the Ettlne property in the 3,000 block of East Market Street. It is the Committee's opinion that it should remain as is with renovations only so that it continues to be historically significant. The Committee hopes that all township residents and other interested persons would be in agreement.
- WALTERS** Bill Walters, 3310 Edenbridge Road addressed Supervisor Landis and suggested that she apologize to Don Eckert for badgering him during the July meeting. He noted that Mr. Eckert previously had responded to her questions concerning the new fire station and its costs. He added that it was appropriate that the people in fire service determine what they need to serve the township, and they deserve the best equipment and facility as they put their lives on the line every day. The board approved the plan 4 to 1. Mr. Walters commented on Ms. Landis' questioning concerning the \$500,000 to be spent on the fire building. He asked if she was as concerned with the township having to pay her lawsuit of over \$1 million, which would be paid by her fellow supervisors and every taxpayer in the township.
- ETTLNE** Chad Ettlne, 310 River Road, York Haven spoke concerning the Ettlne property at 3790 East Market Street. He encouraged the board to help save the property from demolition for a Dollar General store. He provided some historical information concerning the property.
- DREYER** Shirley Ettlne Dreyer, 30 West Locust Lane spoke concerning the historic sites in York County. She encouraged those in elected positions to take a stand on properties that are in danger of demolition. She specifically noted the Ettlne property at 3790 East Market Street and asked for the board's assistance in discouraging a possible demolition should the property be purchased for a Dollar General.
- HELLER** Jane Heller, 1819 Idylwyld Road also spoke with regard to the Ettlne property. She itemized some information regarding the Dollar General store, square footage, cost to purchase the property. She noted that GBT is the purchasing entity for Dollar General and is working with realtors to find a location in York. They had indicated they would consider other locations. She reported that there are historic ordinances that can be passed in the way of zoning efforts and overlays. She noted that the board would have to have the will to move forward.
- CRUMLING** Larry Crumling, 108 Lorenzo Court came forward with a suggested plan for creating an ordinance to stop the wars every time a historical landmark is threatened by commercialization. His plan included the creation of a list of sites and structures provided by Historic Preservation Committee, eligibility and historic overlays. He asked how the Historic Preservation Committee is funded.

BISHOP Mr. Bishop responded that the amount budgeted each year is \$2,000, which was confirmed by Mr. Sowers in the audience.

CRUMLING Mr. Crumling stated that the committee should have finances for professionals, surveyors, consultants, historians, engineers and attorneys. He asked for the board's consideration to create a Historic Preservation Trust administered by Trustees to fund the Committee as well as other historic preservations such as the Camp Security Trust Organization. He described how it could be funded through taxation, etc. He requested that the board seriously consider his plan, copy of which would be provided to the board for review.

BISHOP Mr. Bishop noted that, while he did not speak for the board, typically the board had always been interested in looking at any reasonable ideas that come forward. He added that many ideas become more complicated than intended at the onset.

CRUMLING Mr. Crumbling noted that he didn't think it would be easy and would take some time to put into place. However, he was concerned with the current issue at 3790 East Market Street. If this historical treasure is demolished would help the economy of China, since 90% of what Dollar General sells is from China.

LANDIS Ms. Landis reported that she had reviewed the Second Class Township handbook Role of a Supervisor. She noted that it clearly stated that a Supervisor's role is representing the township's communal interests past, present and future. It continued that although assisted by a Planning Commission, paid Administrator, or Historical Commission, many of the final decisions must be made by elected officials. She stated that the buck stops with the board.

MS. LANDIS MOVED THAT THE BOARD ENTER INTO A DISCUSSION WITH THE SOLICITOR IN DEVELOPING AN ORDINANCE TO START ENTERTAINING AND PROTECTING THE TOWNSHIP'S COMMUNAL INTERESTS.

BISHOP Mr. Bishop restated what he understood of the motion for the Board of Supervisors to discuss with the Solicitor the development of an ordinance about historic preservation.

LANDIS Ms. Landis agreed and added to look at the documents from Ms. Heller and review them in a work session, meet with the Solicitor, following which there can be a fair ordinance in place to protect the jobs as a role of Supervisor. She noted that something needed to get started now.

BISHOP Mr. Bishop noted that the motion had not had a second. He stated that creating an ordinance was premature and not what he would encourage the board to pursue. He had commented to Mr. Crumbling, who had agreed with him, that it will be a long process to determine the wise thing to do.

BOWMAN Mr. Bowman asked whether it would be possible to have a work session with the Planner who assisted with the Comprehensive Plan.

HOLMAN Mr. Holman stated that if the board would authorize that, that would be an option. The Planner is still available, and it would be necessary to assure it is in compliance with the current Comp Plan. Talks are just beginning about the next Comp Plan that will start in 2014.

DVORYAK Mr. Dvoryak stated that the Historic Preservation Committee had spent a lot of time through the years and could provide a list of options available. He agreed with starting to do something, whether it would be a work session or review.

PHAN Kathleen Phan, 3841 Silver Spur Drive, stated that it was important that the Board of Supervisors show the residents an interest in a review of the issues surrounding historical properties. She noted that the state reviews historical buildings in terms of historical versus commercial value.

NEVIN Paul Nevin, 6298 River Drive, advised that Lower Windsor Township has a Historic Preservation Overlay that has been in place for 10 years. In addition Manheim Township in Lancaster County has a good example of a Historic Overlay. He added that the state mandates that municipalities are required to take care of the historic resources.

BISHOP Mr. Bishop stated that Springettsbury Township does meet that requirement.

GAROFALO Mario Garofalo, 3385 Oakham Drive, asked for clarification concerning comments published in the Springettsbury Newsletter in the Manager's Corner. One statement made was that the township was looking to contract out the EMS service, and the next statement indicated that the township was looking to keep it.

BISHOP Mr. Bishop responded that the Manager stated that Springettsbury Township was committed to maintaining Emergency Management Services for its residents. The board always had committed to having ambulance services for Springettsbury Township residents.

GAROFALO Mr. Garofalo questioned whether the current employees of the ambulance service in Springettsbury Township are staying in place.

BISHOP Mr. Bishop noted that his personal understanding of the current situation is that they don't know. The Board of Supervisors is looking at all options for how emergency services can best be provided to the township.

GAROFALO Mr. Garofalo asked how long it would take for a decision to be made since contract negotiations had continued for almost two years.

BISHOP Mr. Bishop responded that he had no interest in discussing union negotiations as he is not involved in the negotiations.

GAROFALO Mr. Garofalo asked whether the Manager keeps the board updated on the negotiations.

BISHOP Mr. Bishop responded that he does advise the board periodically.

GAROFALO Mr. Garofalo asked Mr. Dvoryak if he was aware of the current status.

DVORYAK Mr. Dvoryak responded that he had not read Mr. Holman's latest report. The board hired the Township Manager, along with the people he chooses from legal teams to negotiate the contract.

GAROFALO Mr. Garofalo commented that, as a township resident, his money is paying for the attorney that he is doing battle with to negotiate a contract with the township.

BISHOP Mr. Bishop responded that the board was absolutely convinced that that money is 100% well spent by the township.

GAROFALO Mr. Garofalo commented that the board doesn't really care about the employees.

BISHOP Mr. Bishop responded that the board absolutely does care about every single employee in this township and every resident and is doing 100% what is believed to be best to provide emergency medical services in this township.

TROTT Dave Trott, 3360 Druck Valley Road, noted that when certain individuals speak they are permitted to continue, and when others speak they are told to sit down. Mr. Eckert told Mr. Garofalo to sit down. Mr. Walters attacked the only female member of the board, and it is permitted.

BISHOP Mr. Bishop asked if he had anything specific to say.

TROTT Mr. Trott responded that some individuals say nothing, and he wanted to say nothing. He noted that everyone was listening.

HELLER Jane Heller stated she had some additional information to bring forward. She read the Local Historic District Act of 1961, which authorized municipalities to create and define by ordinance a historic district within its geographic limits. She noted the 1971 Environmental Rights Amendment of the Pennsylvania Constitution, which provides for people to have a right to clean air, pure water and the preservation of natural, historic and esthetic values of the environment. She also noted the Pennsylvania History Code, which was endorsed along with other provisions in the Code which charges the state and municipalities with preserving historic resources.

BISHOP Mr. Bishop responded that the specific acts do not require the municipalities to do specific things. They authorize the municipalities to do certain things, and Springettsbury Township meets every state requirement, which is documented in Section 10 of the Comprehensive Plan.

HELLER Ms. Heller mentioned that Spring Grove has a historic overlay which covers the entire Borough of Spring Grove, and Lower Windsor Township, which is a precedent, two within York County. She did not understand why the board would have an issue with having a discussion.

DVORYAK Mr. Dvoryak thanked Ms. Heller and everyone who came to the meeting who are passionate about historic preservation. The board appreciated their efforts. He brought forward a suggestion with how to move forward, not in the form of a motion, but more of a recommendation by the board:

- Staff, working with the Historic Preservation Committee, meet and discuss how to begin to outline what steps are necessary.
- Determine if there is an interest in preserving the 100 properties that are on the identified target list within Springettsbury.
- Create a list of options available to the board to prevent the demolition such as that which happened with Avalong.
- List pro's and con's of the options.
- Encourage public participation; include the township Planner who develops the Comprehensive Plan.
- Determine the best way to move forward in Springettsbury Township.

BISHOP Mr. Bishop closed the Citizen Comment portion of the Agenda. He noted that a motion was on the floor which had not yet received a second.

MOTION DIED FOR LACK OF A SECOND.

BISHOP Mr. Bishop suggested a timeframe as to when to expect an update or report. He asked whether a report could be provided by the second meeting in October.

DVORYAK Mr. Dvoryak asked Mr. Holman whether that would be a reasonable expectation.

HOLMAN Mr. Holman responded that the second meeting in October was not unreasonable to get an update report. He will coordinate with Ms. Lang and the Historic Preservation Committee, Planning Commission, the Planner and the Solicitor. He would want to have a public meeting and have plenty of notice of a work session with the public.

LANDIS Ms. Landis commented that, following the Avalong barn incident, the discussion that had taken place at that time was very similar to what had been discussed this date. Moving forward should have started then but it didn't. She commented on the role of a Supervisor, which clearly indicated the board's involvement. She added that it had taken three years for an evaluation to take place for the

Township Manager. She hoped it did not take three years for the board to come to some sort of round table discussion for the preservation of historic properties. The final decision must be made by the public officials.

Consensus of the board was to move forward in accordance with Mr. Dvoryak's suggestions.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written monthly report. He had no changes to that report but offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report. He had no updates but offered to respond to questions.

LANDIS Ms. Landis questioned an item concerning Commons Drive and why Mr. Pasch is proposing a driveway closure.

HOLMAN Mr. Holman responded that a full presentation by Patricia Lang, Community Development will clarify that point for Ms. Landis.

LANDIS Ms. Landis asked for Mr. Luciani's opinion.

LUCIANI Mr. Luciani stated that he had participated in the preparation of the data for the presentation, which includes previous plans, geometric design, costs to revert back to previous plans. He stated that in his opinion, the access road should not be closed, which agreed with the staff's opinion.

LANDIS Ms. Landis noted the fact that they were expecting a road profile and specific design calculations. She asked for clarification.

LUCIANI Mr. Luciani responded that, following the presentation made by Mr. Pasch and his attorney, staff had met with them to consider some relief from the township ordinance. They did not receive a road profile and are still waiting for that data. Mr. Pasch wanted to make an emergency access only, but the challenge is that it is a very steep grade.

LANDIS Ms. Landis questioned raising the grade on Commons Drive by approximately 16 inches. She thought it was a lot but noted it could conform with the township ordinance. She asked who would be paying for that.

LUCIANI Mr. Luciani responded that the developer raised Commons Drive from the original plan by three feet. It was discovered after the fact when the manhole was found to be three feet down inside the road. The developer then had to resubmit their plan to DEP. In order to flatten out the grade to the office building, the road would have to be raised by 16 inches. He noted he had done a quick cost estimate, which would not be a big financial impact. It would be the developer's responsibility.

LANDIS Ms. Landis asked whether Commons Drive had been dedicated to the township.

HOLMAN Mr. Holman noted that it had not yet been offered for dedication.

5. CONSENT AGENDA

LANDIS Ms. Landis requested that item D be pulled from the Consent Agenda for further discussion.

- A. Acknowledge Receipt of May 28, 2013 York Area United Fire and Rescue Commission Pension Meeting Minutes.
- B. Acknowledge Receipt of July 16, 2013 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Acknowledge Receipt of July 19, 2013 York Area United Fire and Rescue Commission Strategic Planning Session Minutes.
- D. Board of Supervisors Regular Meeting Minutes – August 22, 2013.
- E. Regular Payables as Detailed in the Payable Listing of September 12, 2013.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A, B, C, AND E. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis questioned item D in the August 22nd meeting minutes. She noted that the bids were rejected for the Stonewood Park walking trail. Following that motion a second motion moved to authorize the township to move forward with the Stonewood Park walking trail project. She asked exactly what happened.

BISHOP Mr. Bishop responded that the bids from the vendor were rejected, and then reviewed doing the project internally.

LANDIS Ms. Landis assumed that the bid was rejected due to costs. She asked how much it would cost the township staff and what materials would be used.

HOLMAN Mr. Holman responded that the materials were bid for the road materials. He had sent out a cost estimate to the board in their last packet. There will be some additional pipe purchased to take care of drainage, but everything needed for stormwater protection was in place. Overall costs including a retainage were approximately \$66,500, and the budget was approximately \$70,000 for the project.

LANDIS Ms. Landis asked whether the pathway would be mulched.

HOLMAN Mr. Holman responded that it will be macadam, fully handicapped and special needs accessible.

BISHOP Mr. Bishop suggested adding the word “township” to the motion.

MR. BOWMAN MOVED TO APPROVE THE AUGUST 22, 2013 BOARD OF SUPERVISORS MEETING MINUTES AS AMENDED. MOTION UNANIMOUSLY CARRIED.

6. SUBDIVISIONS AND LAND DEVELOPMENT

HOLMAN Mr. Holman brought forward a presentation by Ms. Lang concerning the Commons Drive issues.

LANG Ms. Lang reported that during the last board meeting Tim Pasch had come forward requesting to make some changes to a project under construction. There was a need for further knowledge and backup. She provided a PowerPoint presentation, summarized:

- Plan 05-18, currently under construction, is an add-on land development plan; several plans have been added to that plan.
- Original subdivision plan was 03-05, which the developer wanted to revert to.
- Layout of 03-05 was shown. Lot 8 is in the corner with no access. There is no Commons Drive on that plan.
- Discussion took place regarding traffic moving through Mr. Pasch’s lot to get to Commons Drive.
- Several cross lot accesses had been approved as part of this plan; every lot has access through other lots (Lot 7 and Lot 9) out to Cinema Drive and into Lot 8 with no road frontage.
- Current add-on plan showed Lot 8 with design of access drive coming out of Lot 18 across Commons Drive and in to Lot 8 creating the only other road access for Lot 8.
- None of the traffic on the west side of Commons Drive can get to Cinema Drive except through the access drive to go out Eastern Boulevard, down the road and back to Cinema or out to Market Street.
- Access drive was not consistent with township regulations and measured in excess of 10% where township ordinance allowed only 5%. Rather than fix the problem, their solution was to close the access altogether.
- Design information submitted to staff indicated cross sections and profiles. Information provided suggested up to 14-1/2% slope out of Mr. Pasch’s parking lot onto Commons Drive. The information was from a sketch plan.
- Emergency access was discussed but more information on its design was needed.

- Staff is opposed to the emergency access bearing in mind there had been six plans between then and now, and this plan identifies specific uses and specific lots within the development. In the interim the lots have changed and some have been merged.
- Traffic generated produced significant differences.
- Lot 8 has no actual frontage unless connected to Commons Drive.

LANG Ms. Lang stated that one potential solution might be an emergency only access. However, the ordinance does not speak to that as an option, and there is no design criteria for that but may be a “better than nothing” solution. The solution, summarized:

- Minimal regarding of the area along Commons Drive to raise the elevation such that the slope onto Lot 8 is not as deep as 14-1/2 feet.
- A height of 16 inches had already been present.
- Less than \$5,000 worth of work would be needed to raise the infrastructure.
- Staff continues to be opposed to closing off the access.

BOWMAN Mr. Bowman commented concerning the sight issue by raising the grade by 16 inches.

LUCIANI Mr. Luciani responded that by raising the grade by 16 inches, the grade coming from Eastern Boulevard to Commons Drive is about 3%, which is fairly flat. Regarding the four office buildings, instead of the 14% slope, that 16 inches will flatten that out close to 5%. They are considering cold weather, trucks bottoming out, etc. He noted the traffic generated for the Goddard School and the four office buildings will be close to 1,000 cars a day, so having two entrances will be better for emergency services and for flow to get garbage in and out. Mr. Luciani did not think, from a business standpoint, as well as from an emergency standpoint that \$5,000 would be unreasonable.

BOWMAN Mr. Bowman noted that it seemed that the cost was the major issue. However, when the subject was previously discussed, it was the sight line that seemed to be the issue.

LUCIANI Mr. Luciani responded that even with the steepness of the slope, a motorist can see to the left up to Eastern Boulevard, and to the right see Market Street. Even with the slopes, that could work.

LANG Ms. Lang noted that \$5,000 may be exaggerated for the amount of work to be done to make it level or to reach 16 inches.

BOWMAN Mr. Bowman asked how high the hump would be.

LUCIANI Mr. Luciani responded it would probably be about 200 feet to Eastern Boulevard; maybe 75 feet in each direction.

- LANG** Ms. Lang added that the high point would be 16 inches.
- LUCIANI** Mr. Luciani agreed but noted it would not really be a high point inasmuch as the road falls coming down from Eastern Boulevard. Commons Drive slopes all the way to the creek behind Hoss's. Mr. Luciani thought this was something that Mr. Pasch could work with, but they needed to respond to him with a decision.
- BISHOP** Mr. Bishop asked if the approach would impact the fire trucks or fire station. He assumed that Chief McCoy had been involved in some of the discussion. He noted he was more concerned about getting fire trucks to Eastern Boulevard.
- LANG** Ms. Lang responded that the approach will bring it closer to what is an acceptable slope.
- LUCIANI** Mr. Luciani reiterated that an emergency access is absolutely needed, and it probably would not take much to make it a full access, which was the way it was approved on the plan.
- BISHOP** Mr. Bishop reiterated the steps the staff had taken. He noted the board needed to ratify those steps in order to move in that direction.
- RAUSCH** Solicitor Rausch noted that part of the urgency for Mr. Pasch was that he wanted to pour curb. He added that the road does not need to be improved for the fire station to be built.
- HOLMAN** Mr. Holman commented that if Mr. Pasch still wanted a waiver, he will have to go back through the Planning Commission, back through the board because there are five plans in between the one he wants to use and the other ones.
- BISHOP** Mr. Bishop questioned whether the board was willing to short-circuit the process and grant the waiver or send him back through the process.
- RAUSCH** Solicitor Rausch stated that he did not think the board could just grant him a waiver because there is an approved plan that has the access drive on it. It has not been recorded yet, but it had been finally approved.
- LANG** Ms. Lang noted that his original request was just for a waiver from the 5% requirement so he could start the closing. That's the bigger question so the waiver request was to allow the time for 10% access drive.
- RAUSCH** Solicitor Rausch reiterated that the plan was already approved. There is a gray area. There has to be a history on the plan as to whether or not there is an agreement recorded or whether or not he comes in and changes the plan or puts a note on the plan if the board were to grant a waiver from the requirement so that it is documented.

HOLMAN Mr. Holman indicated concern with the slope that there will be a lot of bottoming out.

BISHOP Mr. Bishop noted that there is not a lot of support for granting that waiver from the development at this point.

LANDIS Mr. Landis asked whether Mr. Pasch is supposed to be providing information.

LANG Ms. Lang responded that they had asked for information and their response was not positive. They do not intend to provide that information. Ms. Lang indicated that they are suggesting that without that information they can't make an adequate recommendation to forward on to the Planning Commission.

BISHOP Mr. Bishop believed that it was Mr. Pasch's intention for the board to agree with him the night he came to the board. Timing was very important to him, and the board didn't agree to it. Additional information was requested, and the information received does not support agreement with him.

ECKERT Mr. Eckert reported that Tim Pasch came to him and wanted to use the fire company as a reason for some of this. He had looked at the situation. Currently it is impossible, as when you drive to the end of the parking lot where there are offices, it just drops off, almost 15%. Mr. Eckert advised Mr. Pasch that it does not matter to the fire company, as they won't use that unless they have to get to the Goddard School as the trucks would bottom out. He had advised Mr. Pasch that it was an issue between him and the township. Mr. Eckert added that his only concern was that there is a street when they are ready to use the fire station.

BISHOP Mr. Bishop noted that was his concern as well.

ECKERT Mr. Eckert indicated Mr. Pasch had been dragging his feet, and they don't have a box culvert approved yet. Now curbs are delayed.

LANDIS Ms. Landis asked whether Mr. Pasch was given a timeline to provide the information that was requested.

LANG Ms. Lang responded that he forgot the timeline. He said through his counsel that he wanted a response from staff by yesterday, and since he didn't have one, he was moving forward as they had intended and they would come to the Planning Commission meeting later this month.

LANDIS Ms. Landis reiterated her question concerning the information that had been requested from him. Had he been given a timeline as to when she needed that information.

LANG Ms. Lang responded that when they had spoken with him at a meeting here in the township building, they stated that in order for the township to make any kind of

decision, the information was needed, and the ball was in his court. Instead they received a piece of paper that said 14%; make a decision.

BISHOP Mr. Bishop commented that Mr. Pasch was essentially trying to go around the system, and all of those requests for information were around the system. However, it sounded as though he planned to go to the Planning Commission, which is ultimately what the board wanted last month when it was discussed.

LANG Ms. Lang responded that he was correct. He's not going to the Planning Commission with a request to allow a change for his plan. He wants to close the access drive so he doesn't have to build it.

BISHOP Mr. Bishop asked whether the township has any leverage to make sure the road gets built for the fire building.

HOLMAN Mr. Holman responded that the construction bond is in place.

ECKERT Mr. Eckert stated that the bond could be pulled for covering the street. There is enough money to cover the cost of the street.

LANG Ms. Lang noted that the request is not before the board at this point. There is no action that needs to take place, and the township can take the opportunity to fill in any holes in the process.

BISHOP Mr. Bishop asked whether the board members were okay with doing nothing.

LANDIS Ms. Landis asked whether the board could contact her directly with any questions as they are reviewing the project.

LANG Ms. Lang responded that they could.

7. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

A. Authorization to Adopt HIPAA Privacy Compliance Document with Benecon to become effective September 23, 2013.

B. Authorization to Adopt HIPAA Privacy Compliance Document with Significa Benefit Services for Dental/Retired Prescription Services to become effective September 23, 2013.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ADOPT BOTH A AND B, HIPPA PRIVACY COMPLIANCE DOCUMENTS WITH BENECON AND ALSO WITH SIGNIFICA FOR THE DENTAL AND RETIREMENT PRESCRIPTION SERVICE. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

- LANDIS** Ms. Landis referred to the Manager's Corner in the Springettsbury newsletter. She noted the reference to the township being one of the few municipalities in York County that has a stand-alone ambulance service. She asked for clarification of a stand-alone ambulance service.
- HOLMAN** Mr. Holman responded that the township operates its own ambulance service. He asked Chief McCoy how many municipalities in York County currently run an ambulance service.
- MCCOY** Chief McCoy responded that there are municipal-based ambulance services in Springettsbury and Manchester townships.
- LANDIS** Ms. Landis noted that she had not attended the August 22nd meeting, and as stated on the Agenda for this date, there were two Executive Sessions. With respect to the real estate matter that was discussed, she had not been briefed as to the outcome of that discussion. She had been made aware of the real estate discussion when she received her packet for the meeting this date. She commented that this was not the first time she had not received information. She, as a Supervisor, requested a briefing with respect to what had transpired in that Executive Session. She asked who she should go to for that briefing.
- BISHOP** Mr. Bishop stated he did not believe that there had ever been a situation like it in the past, and he was not sure there was a process.
- HOLMAN** Mr. Holman suggested that Supervisor Landis call him in the morning and he would be happy to update her on the discussion with regard to the real estate matter.
- BISHOP** Mr. Bishop reported that Saturday In The Park will be held on September 28th. He stated that volunteers are welcome to help with the event. There are forms for volunteers who want to help.

9. SOLICITOR'S REPORT

- RAUSCH** Solicitor Rausch stated he had nothing to add to his written report.
- DVORYAK** Mr. Dvoryak questioned where the new item regarding the condo is located.
- RAUSCH** Solicitor Rausch responded that it was across from the park.

10. MANAGER'S REPORT

- HOLMAN** Mr. Holman followed up on Mr. Dvoryak's condo question. He intended to provide a quick update on the hoarding problem in the condo. Depending on the cost, he will be awarding an emergency contract to clean up the problem for

public health, safety and welfare per the court order. Ms. Lang will secure the cost of that cleanup. The township cannot do the clean up and must hire a specialist for the work. As soon as the final cost is secured, the project will move forward.

BISHOP Mr. Bishop was reminded that he had received an email within the last two weeks from someone with a mold situation in a rental unit. Mr. Bishop noted that it was an item that needed to be addressed as to how to handle inspections of rental units. He commented that there definitely are people taking advantage of renters in the township.

HOLMAN Mr. Holman responded that he was working with Ms. Lang to come up with some regulations for the board that will be in the form of ordinances in property maintenance for rental units. He noted that many of the rental units are getting older. This will work together with property maintenance for apartments with inspections for fire extinguishers, smoke alarms and carbon monoxide alarms within the units.

LANG Ms. Lang indicated they are researching programs for handling the situations.

BISHOP Mr. Bishop added that it was not just for apartments but also includes single family homes.

DVORYAK Mr. Dvoryak suggested that current state and federal law offers remedies to tenants who have mold issues. Tenants are not powerless against their landlord.

BISHOP Mr. Bishop commented that it would take a certain level of sophistication of a tenant to exercise those rights.

DVORYAK Mr. Dvoryak responded that his point is to be careful how much of an active role to take in that as there may not be a need to do so.

BISHOP Mr. Bishop noted that since the township is responsible for health and safety of the residents of the township, at a minimum, should be able to provide that information to people who come here and request it. It would be something to take on, and he was reasonably certain that has not been done.

LANDIS Ms. Landis asked what email he was referring to with respect to the mold issues, since she had not received those emails.

BISHOP Mr. Bishop responded that he received an email but he was not sure of the name.

LANDIS Ms. Landis asked Mr. Dvoryak if he had received any of those emails.

DVORYAK Mr. Dvoryak responded that he had received one, but he couldn't recall who it was from. He had forwarded it on to Mr. Holman.

HOLMAN Mr. Holman noted that he had sent the emails on to Ms. Lang to start enforcement.

LANDIS Ms. Landis commented that she had no idea this was going on and had not been briefed once again. She stated if a complaint comes in or a concern for the health and safety, that is part of her responsibility. She asked if someone could brief her about what concerns were brought forth.

BISHOP Mr. Bishop stated that there was really nothing to brief and that she had just heard it all. It was an email that stated they have a mold problem and their landlord won't address it.

LANDIS Ms. Landis stated that perhaps there needed to be a policy in place for all board members so that everyone is kept on the same page. If she would have received a call about this, she would have been completely ignorant and would have had no response for the resident.

BISHOP Mr. Bishop noted that was the reason he brought it up.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2013-38 – Recognition of Charles H. Lauer, Jr.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2013-38 – RECOGNITION OF CHARLES H. LAUER, JR. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

There was no Old Business.

13. NEW BUSINESS

A. Authorization to Approve Tax Refund Requests for Tax Years 2012 and 2013:

Tax Year 2012

1) National Central Bank (Parcel #46-21-07) in the amount of \$4395.78

Tax Year 2013

2) Michael E. Gilpin (Parcel #46-5-273) in the amount of \$58.69.

3) Heritage Hills Associates (Parcel #46-IJ-21.C) in the amount of \$101.12

4) Peppermint Associates, LLC (Parcel #46-21-07) in the amount of \$301.33

MR. DVORYAK MOVED TO APPROVE THE TAX REFUND REQUESTS ITEMS 1 THROUGH 4 ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.

B. Acknowledge Receipt of Minimum Municipal Obligation for Police Pension Plan.

**MR. BOWMAN MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM
MUNICIPAL OBLIGATION FOR POLICE PENSION PLAN. MOTION
UNANIMOUSLY CARRIED.**

14. ADJOURNMENT

BISHOP Acting Chairman Bishop adjourned the meeting at 8:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja