

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 24, 2013
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 24, 2013 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman

MEMBERS NOT

IN ATTENDANCE: George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Mark Hodgkinson, Director of Waste Water Treatment Plant
Thomas Hyers, Police Chief
Robert McCoy, YAUFRR Chief
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Angela Liddick, Community Development Coordinator
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the Regular Meeting of the Board of Supervisors to order at 7 p.m. He reported that a meeting of the Development Authority had been held at 6:45 p.m. He led the Pledge of Allegiance.

SCHENCK Chairman Schenck commented that three members of the five-member board were present, constituting a Quorum. Any motions must carry by a majority, or 3/0 vote. In respect to development plans, anything less than a majority vote would be considered a denial.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that there had been no Executive Sessions since the last meeting; however, an Executive Session was scheduled for this date following adjournment to discuss personnel matters, contracts and collective bargaining.

3. COMMUNICATIONS FROM CITIZENS

TROTT David Trott, 3360 Druck Valley Road, reported that the recyclable material dumpsters are now located at the main dumpster site in response to his report that the township was not recycling material from township facilities.

Mr. Trott commented on what he believed to be a conflict of interest relating to Vijay Kapoor's name listed as a reference on Mr. Holman's resume. He noted that Mr. Kapoor's business, Work Force Consulting, Public Financial Management, Inc. had been used by the township. Mr. Trott added that the township had budgeted \$248,500 for professional services in 2012.

Mr. Trott commented that there should be more consistency in published meeting minutes.

MILLER Jean Miller, 1318 East 11th Avenue, questioned an item listed on her trash bill. She stated that her Penn Waste bill itemized a \$5.00 charge for Municipal Administration Fee. She had been advised that the \$5.00 fee was used for leaf pickup, snow removal, repairs to trucks and recycling. She did not think it fair to be charged twice for recycling, once from Penn Waste and once for township services, which she thought should come from the taxes.

SCHENCK Chairman Schenck responded that she had been advised correctly by the township that the fee covered legitimate expenses for leaf pickup, snow removal, truck repair and recycling. The fee had been in place since 1996.

MILLER Ms. Miller stated that the residents are charged twice for recycling, \$20.00 a year from every resident resulting in approximately \$49,000 a year for the township. She stated that in order to save money or cut corners, the newsletter should be smaller and printed in black and white and should not cost \$40,000 a year when it's not necessary. She asked whether recycling is a state law or township ordinance. She had looked up the ordinance that did not say that it is mandatory for the residents to participate.

SCHENCK Chairman Schenck responded that the recycling is both state mandated and enforced by township ordinance. He requested Mr. Holman to respond to Ms. Miller with the ordinance and the state recycling law documentation.

HOLMAN Mr. Holman responded that he would provide Act 101 for her, along with a copy of the township ordinance. He added that he had attempted several times to telephone her in response to her concerns.

3. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated he had submitted a monthly report to the board. He reported one update with regard to SR0124, section 5, that a meeting of all utilities had been requested. Everything that PennDOT needed from the township had been submitted.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report. He had one update, which he considered to be of concern. He had received 20 signal permit changes for Route 30. Bridge maintenance work is being done on Route 83 at Arsenal Road. During that time they will close the connection from 83 to 30 with a detour on North Hills Road. The hours will be from 11 p.m. to 5 a.m. In an effort to prevent traffic from backing up entirely on North Hills Road, this is an attempt to keep the free flow of traffic in the area. The work will commence as soon as March for the bridge work. He will continue to provide updates as they are received.

5. CONSENT AGENDA

- A. Acknowledge Receipt of December 31, 2012 Treasurer’s Report
- B. Board of Supervisors Reorganization Meeting Minutes – January 7, 2013
- C. Board of Supervisors Regular Meeting Minutes – January 7, 2013
- D. Regular Payables as Detailed in the Payable Listing of January 24, 2013
- E. LD-12-08 – Time Extension – Firehouse Square – Plan Expires 02/21/13 (New Plan Date 05.21.13)
- F. LD-12-04 – Time Extension – YCP Admissions – Plan Expires 01/26/13 (New Plan Date 04/26/13)

**MR. BOWMAN MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH F.
MOTION UNANIMOUSLY CARRIED.**

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Enter into ALS-BLS Joint Pre-Hospital Services Agreement with York Hospital Company, LLC

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ENTER INTO ALS-BLS JOINT PRE-HOSPITAL SERVICES AGREEMENT WITH YORK HOSPITAL COMPANY, LLC. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Enter into Amendment No. 1 to Articles of Agreement Between Springettsbury Township and Windsor Township for Allocation of Pipeline Capacity.

MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO ENTER INTO AMENDMENT NO. 1 TO ARTICLES OF AGREEMENT BETWEEN SPRINGETTSBURY TOWNSHIP AND WINDSOR TOWNSHIP FOR ALLOCATION OF PIPELINE CAPACITY. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Enter into Agreement with Boulevard Commons Condominium Owners Association to Modify the Recorded Plan to Allow the Association to Block Access from Heritage Drive to Lorenzo Court.

MR. BISHOP MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH BOULEVARD COMMONS CONDOMINIUM OWNERS ASSOCIATION TO MODIFY THE RECORDED PLAN TO ALLOW THEM TO BLOCK HERITAGE DRIVE TO LORENZO COURT CONTINGENT UPON APPROVAL OF EXHIBIT A BY THE APPROPRIATE BUILDING OFFICIAL. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-12-04 – YCP Admissions – 1/26/13 (Action)

LIDDICK Angela Liddick presented the plan, LD-12-04, YCP Admissions. The plan documentation was provided in a briefing memorandum dated January 24, 2013. The plan proposed to construct a new Admissions Center for the York County Prison. The new addition will be 16,278 square feet and will combine two admissions areas into one to improve the process and provide general security. There will be no increase in the number of employees or prisoners as a result of this development. She provided a PowerPoint review of the overall site plan, access drive off Concord Road and the addition. She noted that there are eight waivers and four conditions for the plan.

The board had a number of questions/comments, which are summarized:

- Water Tower – Storage tank necessary to store water for firefighting.

- Sidewalks – Site is compliant for their property; need for additional sidewalks. Adjoining Kinsley property lacks sidewalk; six month note on their plan.
- Pedestrian Issues – Individuals walk to Mt. Zion Road into businesses where employed; request consideration for additional sidewalks in the area.
- County consideration for the pedestrian traffic.
- Public Transit – Rabbit Transit refused to leave existing route to go off Concord Road into prison.
- Right turn lane into Kinsley – Signage is poor; consideration for some changes; add chevrons to highlight.
- Existing driveways – ordinance allows maximum of two driveways per street frontage. There are four. One driveway is restricted for in only. Parking lot is one way going out. Prison responsible for incorrect use; drivers will be disciplined.
- Traffic – Manufacturers on Concord Road contribute to some backup but for short duration. County did not provide funding source to assist.
- Site Development – Continual waivers with small incremental changes; need Long Range Master Plan for future development and community protection.

RAUSCH Solicitor Rausch asked whether the plan would create a new driveway.

LIDDICK Ms. Liddick responded that it would not; driveways are current and existing.

RAUSCH Solicitor Rausch indicated that if the driveways are pre-existing, a waiver would not be necessary. He expressed his legal opinion that the plan could not be denied due to the number of pre-existing driveways. If a new driveway was being created, then the waiver would apply. He had not heard anything stated that would indicate the subdivision ordinance had not been met.

BISHOP Mr. Bishop commented that there are significant problems with the property and additional discussions with the county toward improving the situation would be prudent.

LIDDICK Ms. Liddick stated that the main flow of traffic will be in off hours, middle of the night time and would not contribute to stacking of cars.

SCHENCK Chairman Schenck asked what items the township could ask for to make the board more comfortable with the plan. Additional discussion took place, also summarized:

- Signage – Minor improvements recommended by traffic consultant.

- Pedestrian Connection – Planning Commission would like to see additional planning.
- Master Plan – Additional discussion with the county for future planning.

DELLER Casey Deller, C. S. Davidson, provided additional comments as to the project. He noted that they had worked through many of the same concerns with the Planning Commission. He verbalized the following:

- Master Plan – No plans for additional construction at the prison site.
- Traffic – Much discussion including Rabbit Transit; unwilling to deviate from existing route. Stops take five to 10 seconds. Pull off for bus too costly at \$250,000 for relocation of poles, etc.
- Prison vehicles going through parking lot wrong way; will be disciplined.
- Manufacturing shift traffic does not conflict with prison staff traffic.
- Concord/Mt. Zion Road intersection – New signage could be implemented; discussed with PennDOT. Some striping and chevrons to be added.
- Sidewalk – Prison has existing sidewalk. Along Kinsley there's a worn in path but no sidewalk. Has a six-month note for sidewalks on that property.
- Pedestrian walkway – No room to cross rail bridge to go south along Mt. Zion Road. No sidewalks walking north. No way to cross Route 30 on and off ramps safely. Some sidewalks across the street in new shopping plaza.
- Funding options investigated through county and York County Planning for transportation enhancement funds. Liquid Fuels money is something the county doesn't have to give at this time. That funding had been earmarked for Davies Drive.
- Planning Commission requested an analysis of current conditions and Davies Drive conditions. Consensus from the traffic study when Davies Drive is opened that traffic volumes experienced at the prison and Mt. Zion Road intersection will decrease.

BISHOP Mr. Bishop commented that he had heard one very interesting point. The property to the south of Concord Road between the prison and Mt. Zion Road is a property that has a six-month note requiring sidewalks. He wanted to be sure that staff was made aware of that and that action should be taken.

MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 12-04, YORK COUNTY PRISON ADMISSIONS BUILDING FOR THE APPROVAL OF THE PLAN WITH THE EIGHT WAIVERS ON OUR JANUARY 24 MEMO AND THE FOUR CONDITIONS LISTED THERE. MOTION UNANIMOUSLY CARRIED 3/0.

B. LD-12-07 – Weaver Eye Addition – 4/18/13 (Action)

LIDDICK Ms. Liddick presented LD-12-07, Weaver Eye Addition, which was documented in the briefing memorandum dated January 24, 2013. She reported that the plan proposed to construct a 2,552 square foot addition to the existing office facility to provide for additional exam rooms and office space. She noted that the property is located in a Mixed Use District, but also in the Town Center Overlay District. She provided a PowerPoint series of the site plan and noted that there were eight waivers and five conditions associated with the plan.

SCHENCK Chairman Schenck commented on the Town Center Overlay and the intent to draw buildings closer to the streets and parking along the street. He asked whether there had been a variance granted to allow the Weaver Eye Addition.

LIDDICK Ms. Liddick responded that Weaver did not need a variance for this plan.

SCHENCK Chairman Schenck asked for clarification of his understanding of expansions of a non-conforming use of over 50%.

LIDDICK Ms. Liddick responded that a medical office is permitted in the underlying zoning district, as well as in the Town Center Overlay district and is not a non-conforming use. Only non-conforming uses cannot go over the 50%.

MACNEAL Attorney Stacey MacNeal, Katherman, Heim & Perry, spoke for the project. She made the following points:

- Some areas in township ordinance are unclear regarding existing buildings in the Town Center Overlay; need more clarification for property owners.
- Weaver Eye Center is a permitted use with some non-conforming dimensional attributes, which will be brought into compliance.
- No impact or change in parking in the front yard.
- Expansion of use beyond 50% requires approval. Property is being used as a municipal complex. The whole property is an existing medical office use.
- Required design criteria being met; working through some waivers for existing sidewalks, etc.
- Extension of addition will not encroach on to other property.
- Small improvements being made with sidewalk changes, screening and planting, adding a bench to bring into compliance.
- Battery backup and pre-emption to be documented in Development Agreement. Property owner will make a voluntary contribution of \$5,000 to be escrowed for Eastern Boulevard and Northern Way. Applicant to provide ADA improvement access PED buttons.
- Existing impervious surface will be removed and put into grass surface.

MR. BISHOP MOVED WITH RESPECT TO LAND DEVELOPMENT 12-07, WEAVER EYE ADDITION, TO APPROVE THE LAND DEVELOPMENT WITH THE EIGHT WAIVERS LISTED ON OUR JANUARY 24TH MEMO, AND CONDITIONS ONE THROUGH FOUR AND REPLACING CONDITION NUMBER FIVE WITH A NEW CONDITION WHICH IS CONDITIONED UPON APPROVAL BY THE TOWNSHIP OF A DEVELOPMENT AGREEMENT. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman requested action by the board regarding the Development Agreement.

MR. BISHOP MOVED TO APPROVE THE DEVELOPMENT AGREEMENT. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

SCHENCK Chairman Schenck reported that just prior to this meeting he had been shown the new police cruisers. He indicated they were very impressive. In addition, he reported that the York Area United Fire and Rescue bargaining unions participated in a drive for Hurricane Sandy Relief at the fire hall. It had been very successful, and Chairman Schenck congratulated them.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch brought forward an item concerning people in costumes within public right-of-way. He noted that there is a conflict in the sign regulations in the Zoning Ordinance where costumes that are used to attract attention to a business is referred to as a mobile sign, not permitted in the township. Another section in the Zoning Ordinance states that mobile signs including people in costumes are not permitted within the right-of-way. He requested the board's direction if they do not want to see people in costumes for advertisement. If that is the case, some language adjustments need to be made in the Zoning Ordinance. Currently they cannot be prohibited from being outside, but they cannot be within the public right-of-way.

SCHENCK Chairman Schenck commented that the right-of-way extends typically with the sidewalk and a little bit beyond.

BISHOP Mr. Bishop stated that his primary concern had always been the public safety of anyone moving around in the right-of-way as it seemed incredibly dangerous. Beyond that he noted he was flexible.

SCHENCK Chairman Schenck agreed with Mr. Bishop's statement.

BOWMAN Mr. Bowman agreed as well. However, he noted that even the sidewalk is in the public right-of-way and they would not be able to be on the sidewalk.

RAUSCH Solicitor Rausch stated that there needs to be some modification in the language. He will provide the clarified language changes based on the board's comments.

10. MANAGER'S REPORT:

HOLMAN Mr. Holman reported that his status as a Credentialed Manager had been renewed. He is working on his plan for renewal next year.

SCHENCK Chairman Schenck congratulated him on this achievement.

HOLMAN Mr. Holman requested Police Chief Hyers to provide an update on a training exercise being planned with one of the school districts in May.

HYERS Chief Hyers provided a report concerning the epidemic of shootings and children being killed around the country in schools. The local Chiefs have done shooter drills in the different schools. Springettsbury's Police Department had no policy, strategy or records with how to proceed. He had been working with other Chiefs and School Administrators in the York area. This has expanded outside of Springettsbury into all the other townships toward actually putting together a full, comprehensive drill at one of the local schools. Getting the buy-in had been key, and that had been secured with some of the school superintendents who are working with them. Chief Hyers reported that he had been invited to Washington, DC to speak on school strategies on February 13th. In early May they will do a full-scale response at a local school during a half-day with no students involved and with, not only the police, but also administrators and first responders. He had discussed this with Fire Chief McCoy and the ambulance service as well; everyone will be involved. They are also attempting to get state and federal support. The goal is to not only see the interaction with other agencies in response, but also interaction when 100 police officers are needed. The additional goal is to gather support from the state and federal government and to draft the National School Response Strategy, which would come out of York. This will take a great deal of collaboration, coordination and effort. An update will be provided to the board in late May.

SCHENCK Chairman Schenck responded that Springettsbury was blessed to have him here with this kind of forward thinking. The police department had been great and had served the community well, but now we are really looking outside the scope of what this type of community would typically do and he commended Chief Hyers for that.

HYERS Chief Hyers stated that he really appreciated being in the township and working with everyone. The support he receives from the Supervisors and officers and inside the police department is unbelievable. The overwhelming vast majority of this community, as you can see, had supported him, and they are doing some really good things. It's progressive, and just from the different Chiefs meetings he has an active speaking voice which has been very positive. He thanked everyone for all their support.

SCHENCK Chairman Schenck asked Chief Hyers to let them know how they can help. He thanked him for his great report.

11. ORDINANCES AND RESOLUTIONS

There were none for action.

12 OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that he had not received any update.

13. NEW BUSINESS

MR. BISHOP MOVED TO APPOINT JASON SMITH TO THE RECYCLING COMMITTEE. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED TO APPOINT ANDY MEARS TO THE PARK AND REC BOARD. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop noted that some time ago the Supervisors had received a letter in their packet from Jim Baugh requesting consideration for reimbursement of some legal fees. Mr. Bishop thought it was an issue that the board needed to discuss within an Executive Session. He wanted to be sure that it was placed on the table.

SCHENCK Chairman Schenck responded that there was no problem discussing the matter.

BISHOP Mr. Bishop also wanted to be clear that something will happen with respect to the six-month note for sidewalks on Concord Road.

HOLMAN Mr. Holman responded that he made note of it to pull the plan.

BISHOP Mr. Bishop added that it would be a good opportunity to visit York Container and discuss when the sidewalks would be installed there too.

HOLMAN Mr. Holman noted that Mr. Luciani had reminded him of the York Container sidewalks as well.

SCHENCK Chairman Schenck echoed the comments and asked that as staff reviews plans it would be good to check properties next door, and if there is a six-month note on adjoining properties, it would be a trigger to request sidewalks to provide for pedestrian traffic in the township. It is important to be consistent.

BISHOP Mr. Bishop commented that it would be great to have a database with six-month notes.

14. ADJOURNMENT:

SCHENCK Chairman Schenck reminded the board of the Executive Session scheduled for immediately upon adjournment. He adjourned the meeting at 8:28 p.m.

Respectfully submitted,

John J. Holman
Secretary

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