

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 25, 2018
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Thursday, October 25, 2018 at 7:00 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Mark Swomley, Chairman
George Dvoryak
Charles Wurster
Justin Tomevi
Robert Cox

ALSO IN

ATTENDANCE: Benjamin Marchant, Township Manager
Shane Rohrbaugh, Solicitor
John Luciani, First Capital Engineering
Dennis Crabill, Buchart-Horn, Inc.
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Public Works/WWT
Teresa Hummel, Finance Director
Jessica Fieldhouse, Director of Community Development
Dan Stump, Chief, Police Department
Nitza Sanchez-Bowser, Director of Human Resources
Andy Hinkle, Manager of Information Systems
Jean Abrecht, Stenographer

1. OATH OF OFFICE

A. Oath of Office – Township Supervisor Robert Cox

BOWDERS Doreen Bowders provided the Oath of Office for Supervisor Robert Cox.

2. CALL TO ORDER

A. Opening Ceremony

SWOMLEY Chairman Swomley called the Regular Meeting to order and led the Pledge of Allegiance.

3. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. October 11, 2018 – 8:30 p.m. – Personnel

SWOMLEY Chairman Swomley announced that an Executive Session was held on October 11, 2018 at 8:30 p.m. to discuss personnel.

4. COMMUNICATION FROM CITIZENS

A. Citizen Comments

GOTWALD Ms. Marge Gotwald, 1914 Alcott Road, came forward to discuss the traffic situation Ridgewood and Alcott. A curb had been placed on the curve, and she was concerned with cars speeding and jumping the curb. She suggested lowering the speed limit.

A lengthy discussion took place, which is summarized:

- Speed study results that 85% was 29.6, 29.75 mph; one car traveling at 55 mph.
- Speed limit can be lowered to 15, 25 miles per hour.
- Potential for additional signage, flashing lights and reflective arrows, as a temporary measure acknowledging completion of the new development.
- Signage must be consistent with Manual for Uniform Traffic Control Devices.
- Deer crossing an issue.

MR. WURSTER MOVED THAT THE SPEED LIMIT ON ALCOTT ROAD BE REDUCED TO 25 MILES AN HOUR; FURTHER TO ALLOW COMMUNITY DEVELOPMENT, ENGINEERING AND PUBLIC WORKS TO ERECT APPROPRIATE CHEVRON SIGNALING AT THE CURVE AT ALCOTT AND RIDGEWOOD UPON COMPLETION OF ALL IMPROVEMENTS TO THE ROADWAY BY TRIPLETT SPRINGS. MOTION DIED FOR LACK OF A SECOND.

MARCHANT Mr. Marchant stated that staff could investigate and suggest appropriate solutions to bring back to the board. They will review temporary solutions as well.

MURPHY John Murphy with Alpha Consulting Engineers came before the board to discuss the development at 693 North Hills Road, a plan that had been approved earlier during 2018. They are finalizing some administrative items prior to breaking ground and asked the board to approve an adjusted amount in the improvement guarantee suggested by staff. A letter dated October 11 documented \$2.79 million. They are removing several items which are public, non-private items including parking lot paving and corresponding minor things. The items do not affect the public and will not be dedicated. This will have less of a burden on the developer and still will provide tax base and jobs.

SWOMLEY Chairman Swomley indicated that additional discussion should take place as he noted it is part of the township requirements.

Additional lengthy discussion took place, which is summarized:

- Developer requested a lower improvement guarantee for parking lot paving including waring course and blacking course.
- Parking lots will not be dedicated and will not be public or private improvement; it is a required improvement.

- Township inspections still necessary for approval; however, if it's not bonded it may not be inspected.
- Certificate of Occupancy needed; inspection to be done by licensed, certified inspectors; not Community Development.
- Requesting that the bond be posted within a month or two.

MR. WURSTER MOVED THAT, BASED ON THE DISCUSSION THIS DATE, TO REDUCE THEIR PUBLIC BONDING REQUIREMENT BY \$500,000. MR. TOMEVI WAS SECOND.

SWOMLEY Chairman Swomley requested additional discussion from Community Development and Engineering as to what is appropriate along with what other communities in the area might be doing, as well as more insight into some of the implications of this before making a quick decision that might be inappropriate for the township. He asked that the item be placed on a future agenda rather than under citizen comments.

MESSRS. WURSTER AND TOMEVI VOTED IN FAVOR; MESSRS SWOMLEY, DVORYAK AND COX VOTED NO. MOTION WAS LOST 3/2.

DIETZ Ms. Denise Dietz, 1950 Alcott Road, stated that she has lived on Alcott Road 41 years and had been a victim of the curve. She hoped that there could be additional shoulder in the area as she was concerned about school buses coming around the curve and hitting the curb.

B. York County Libraries Presentation

LAMBERT Robert Lambert, President, York County Libraries came before the board. He recognized Bob Cox, Chairman of Martin Libraries Honors Committee who is doing a great job. He noted that great work is being done by boroughs and townships. He provided a PowerPoint presentation of all the York County Library Services. The Springettsbury Township resident use revealed that township residents borrowed 26,000 adult books, 39,000 children's books, 1,677 teen books, 3745 audio books, over 1,800 DVD's and 370 periodicals. The satellite service is doing very well providing drop-off service within the township. Residents borrowed over 1,800 adult books, 517 children's books, 42 teen books, 91 audio books and 102 DVD's.

Mr. Lambert discussed the Capital Campaign, a total investment of \$10 million, covering three libraries: Kreutz Creek in Hallam Township; Kaltreider Library in Red Lion and Martin Library in downtown York.

Mr. Lambert stated that Martin Library had been awarded the Best Library in the state over Philadelphia and Pittsburgh libraries.

DVORYAK Mr. Dvoryak thanked him for his presentation. He was glad to see all that is being accomplished through the library system. He had several questions: Will

Springettsbury Township citizens be solicited for the Capital Campaign? (Yes); What rank does Springettsbury have in terms of the satellite services? (2nd with Spring Garden).

SWOMLEY Chairman Swomley asked why Hellam and not Springettsbury was being considered for a new library.

LAMBERT Mr. Lambert responded that they had been asking for a library for years. He added that they are open to having a conversation if Springettsbury Township is interested in having its own library.

DVORYAK Mr. Dvoryak commented on the previous library at the Art Institute location.

LAMBERT Mr. Lambert responded that the library was part of the Art Institute, and when the building was sold to Wellspan the library had to move out. He indicated they are open to having a conversation about dedicated library services in Springettsbury Township.

WURSTER Mr. Wurster congratulated Mr. Lambert on the award for Martin being the outstanding library in the state. He noted that there is an interest in having library facilities in Springettsbury Township. He noted he would be interested in having the deeper conversation. He mentioned that the Galleria Mall is in transformation and there might be some opportunity to explore with the developer as to what can happen here over the next few years.

LAMBERT Mr. Lambert responded that it all begins with an interest. The next step is to define what, how to do it and establish a timeline.

TOMEVI Mr. Tomevi noted that Wellspan had been very committed to the community. He wondered whether there had been any communication with them to perhaps use of the facility.

LAMBERT Mr. Lambert responded that he had not spoken to Wellspan about the library.

TOMEVI Mr. Tomevi responded that there might be someone in the township that could be assigned to have that discussion as there may be some opportunity.

SWOMLEY Chairman Swomley thanked Mr. Lambert for his presentation and letting the board understand library services.

LAMBERT Mr. Lambert encouraged them to reach out with any follow up questions or information needed.

5. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provide a written report. He had no alterations to his report and offered to respond to questions.

B. Civil Engineer – First Capital Engineering

LUCIANI Mr. Luciani had provided a written report. He had several comments.

- Penn Oaks storm pipe– the bottom of the pipe rusted out. Mark Hodgkinson spoke with a vendor of an epoxy on those lines. Cost per lineal foot, \$600.70 per foot with new five-foot diameter pipe; \$150 to \$200 a lineal foot for new pipe. Pouring a concrete channel over the bottom quarter of the pipe has been successful. Maintenance of that specific pipe in a few years in a Capital program would be about \$10,000 to \$15,000.
- Wallingford – The road has been adopted and Ms. Fieldhouse reported she had received the Maintenance Bond from Keystone Custom Homes. Mr. Luciani sent the documents to Mr. Hodgkinson. It will add 1.73 miles of additional road, which he discussed with PennDOT. They will get those Liquid Fuels starting in January.

6. CONSENT AGENDA

- A. Acknowledge Receipt of September 30, 2018 Treasurer’s Report
- B. Regular Payables as Detailed in Payable Listing of October 25, 2018
- C. Approval of Real Estate Transfer Tax Refund Request for Tax Year 2018 – Dale and Odessa Gentzler (Parcel #46-12-32) in the amount of \$975
- D. Approval of Real Estate Transfer Tax Refund Request for Tax Year 2018- David Seth and Kayley Wilson Fryar (Parcel #46-1-9) in the amount of \$40

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH D. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Enter into 2019 Animal Care and Housing Agreement with the York County SPCA in an amount not to exceed \$13,334

MR. TOMEVI MOVED TO APPROVE THE 2019 SPCA AGREEMENT. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

- A. LD-18-06 – Goddard School Building Expansion – 88 Theater Lane

FIELDHOUSE Ms. Fieldhouse introduced the plan, which had been submitted in September 2018. The Goddard School proposes a 3,000 square foot addition to their structure for additional gymnasium space and offices. The addition will translate into 24 additional students and 3 additional staff people. Several waivers are requested: Submission of a preliminary plan; plan scale; and submission of traffic impact study for which a traffic summary letter was provided; Neither staff nor the township engineer had any issues with that waiver. An additional waiver was

requested to submission of water and sewer feasibility reports. The site is served by public water, public sewer. Staff and township engineer have no issues with that waiver as requested.

SANDMEYER Mr. Robert Sandmeyer of Site Design Concepts represented the plan. He presented a PowerPoint overview of the plan. The review of the plan was acceptable and neither staff nor the township engineer had any issues. However, the matter of the Performance Bond needed further discussion. He requested a definition of consistency in that it is private property. All of their contractors must guarantee that it is built to the drawings and specifications of the township, as well as to the design professionals. He asked why it had to be bonded. Any pot holes in the future would be fixed.

FIELDHOUSE Ms. Fieldhouse responded that any potholes would be a violation of the International Property Maintenance Code that the township enforces. A Notice of Violation would be issued by the township, necessitating your coming in for a permit with a plan of how to fix any deficiencies in the parking lot that pose a safety hazard to individuals using the roads on the property.

SANDMEYER Mr. Sandmeyer questioned whether it was different than bond issuance when something is installed, or whether it related to a code item or an Occupancy Permit.

MARCHANT Mr. Marchant stated that the township has bonds on current development, and once a development is completed, the bond is released. Ten years later there is no bond and so only through a code enforcement can the township come and cite someone for a violation with a citation.

SANDMEYER Mr. Sandmeyer responded that he had answered the question on the long term; however, the questions relate to the short term at the beginning when the client is facing the percentage.

SWOMLEY Chairman Swomley noted that the requirement has been in place since 1989, 29 years, and it has been consistent. Over the last year developers have been pushing back against it. It has been enforced consistently.

SANDMEYER Mr. Sandmeyer noted that he has observed a number of projects where it was not consistent. He would just like to know the requirement to pass along to his clients so they're not writing a number of checks.

SWOMLEY Chairman Swomley noted that he could only recall one earlier that Mr. Wurster mentioned. He could not recall a single instance where bonding was waived in the five years that he had been on the board.

SANDMEYER Mr. Sandmeyer stated he was not asking for waiving of bonding but more waiving of different items that are in the bond itself.

SWOMLEY Chairman Swomley indicated he was referring to waiving bonding of individual items, both public or private.

LUCIANI Mr. Luciani added that the wording in the MPC indicates “any required improvement.”

SWOMLEY Chairman Swomley noted that the board had agreed to review this issue, and he did not intend to belabor the point this date.

WURSTER Mr. Wurster thanked Mr. Sandmeyer for raising the issues, for which he thought the board should review as the Chairman had indicated. While the process had been in place for 29 years, construction, the market, technology and development all had changed. A conclusion will be determined as to the way the township will do bonding. He noted the investment that the Goddard School and other institutions make in Springettsbury Township after their own private interests, and they will make sure that their private improvements are to their specifications. He stated he had a lot of confidence in the process to be able to live with that. There certainly are good reasons to follow the MPC and have proper bonding. The board will have that discussion and come up with a decision.

SANDMEYER Mr. Sandmeyer indicated he appreciated that as it was what he was seeking.

MR. WURSTER MOVED WITH REGARD TO LAND DEVELOPMENT 18-06, GODDARD SCHOOL, TO APPROVE THE PLAN AS SUBMITTED SUBJECT TO THE FOLLOWING WAIVERS: SECTION 289-10, SECTION 289-13.A; SECTION 289-21 AND SECTION 289-24. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. WURSTER MOVED WITH REGARD TO LD-18-06 TO APPROVE THE PLAN SUBJECT TO THE CONDITION TO PROVIDE PROPER FINANCIAL SECURITY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

SWOMLEY Chairman Swomley congratulated Robert Cox and welcomed him to the board.

COX Mr. Cox thanked him and stated it was good to be on the board.

DVORYAK Mr. Dvoryak reported that an individual from Penn National Gaming had contacted him to set up an individual meeting to discuss their plans for the Casino. Mr. Dvoryak responded to him that, given the high level of interest in the project, it would be more appropriate if the rest of the board agreed, to have them come in and do a formal board presentation in a public meeting where the public could hear the plans. There is a high level of interest in it.

MARCHANT Mr. Marchant indicated he had not heard from anyone to date but he liked the idea.

SWOMLEY Chairman Swomley stated that he liked Mr. Dvoryak’s response and supported it. His position concerning some of the citizens of the community claiming that the board had been less than transparent on the entire issue of the Casino, which is

absolutely not true. A meeting for them to come in and discuss it with the board should be in a public setting.

10. COMMITTEE REPORTS

There were no Committee Reports

11. SOLICITOR'S REPORT

ROHRBAUGH Solicitor Rohrbaugh stated that Attorney Rausch submitted his report earlier this week and he had no changes. He offered to respond to questions but there were none.

12. MANAGER'S REPORT

MARCHANT Mr. Marchant had provided a written report and had nothing to add to his report. However, he had a number of items to review with the board.

- Winter Newsletter – The stormwater matter is a more immediate issue. He could solicit interest in the library. Also, he could discuss participation on the board's township commission and committees. He commented that there could be opportunities for board members to submit messages to the community.
- Spring Newsletter -Mr. Marchant noted that the spring newsletter might be appropriate either to discuss issues like the condition of the police facility and the need for these facilities; also the stormwater fee and its impact. He thought it would be appropriate for education as well as to share the township's plans. In that way they could be engaged when there are meetings.

DVORYAK Mr. Dvoryak noted that he was thinking of education for the public on the budget, perhaps with some highlights.

MARCHANT Mr. Marchant added that the board had discussed development and the scope of bonded improvements, etc. He asked when to schedule that Work Session.

SWOMLEY Chairman Swomley suggested that the staff meet and discuss the options, what the reasoning is, and suggest some positions that the board could potentially take with a framework for discussion. If it's possible to have information compiled and it is appropriate, it could be done between Thanksgiving and Christmas.

MARCHANT Mr. Marchant reported that he found a VHS tape that was used to educate the board on an annual basis that has to do with Public Official Liability Training. With new members on the board, he suggested he'd like to present that to the board knowing the reorganization meeting is about 20 minutes long. He is trying to obtain an updated or digital version. He noted that he had reviewed it personally and thought it was timeless.

MARCHANT Mr. Marchant mentioned several upcoming meetings:

- Budget Work Sessions – Thursday, 11/8/18 at 6 p.m.; Wednesday, 11/14/18 – 6:30 p.m.
- Both Police Pension and Development Authority – Wednesday, November 14, following the Regular Meeting.

13. ORDINANCES AND RESOLUTIONS

There were none for action.

14. OLD BUSINESS

SWOMLEY Chairman Swomley brought forward Old Business items.

1. Accessory use will be in January.
2. Martin Library – Ongoing further discussion to take place. Board comments summarized:
 - Springettsbury Township had been giving the York County Library System \$37,000 yearly.
 - Library was discontinued at the Art Institute; Drop off/pickup initiated at the township building at a cost of \$5,000 a year.
 - Many non-profits in York County; should township be picking and choosing how taxpayer money is used in terms of funding contribution to the library.
 - Investigate how to get library presence back in the township; use the outstanding funds to initiate discussion.
 - Potential space in the Galleria or initiate discussion with Wellspan.
 - Form a Friends of the Library group to assist in galvanizing public support for a facility.
 - Newsletter material.
3. Stormwater inquiries

LUCIANI Mr. Luciani reported that a meeting had been scheduled with the San Gabriel and Lakeview neighbors for November 13, 2018.

MARCHANT Mr. Marchant noted that, in addition to that neighborhood, Apple Hill Lane, Old Orchard Road and Barwood Road will be held until next year.

LUCIANI Mr. Luciani stated that they had looked at Barwood, and it is a failed system.

SWOMLEY Chairman Swomley asked how far it could actually collapse before the pipe touches the debris in the bottom.

HODGKINSON Mr. Hodgkinson responded that the pipe is not very big in diameter; however, it would prevent people from entering and leaving Barwood Road. He did not think that was going to happen immediately, but if it does, the project would go to the top of the list.

4. Resolutions/Appointments

MR. TOMEVI NOMINATED SUPERVISOR WURSTER TO THE LOCAL GOVERNMENT ADVISORY COMMITTEE. MR. DVORYAK WAS SECOND. CHAIRMAN SWOMLEY MOVED TO CLOSE THE NOMINATION. NOMINATION CLOSED.

MR. WURSTER MOVED TO APPOINT ROBERT COX REPRESENTATIVE TO SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. NEW BUSINESS

- A. Authorization to Purchase 2019 MetroQuest Community Engagement Software License in an amount not to exceed \$21,000.

SWOMLEY Chairman Swomley had a number of questions that he noted as he had gone through an earlier presentation.

A summary of board comments follows:

- Use a consultant that has a license to do work for the township vs buying a license.
- Community outreach initiatives, surveys or questionnaires be submitted.
- Determine whether to hire someone familiar with the township who has worked with and is familiar with the township; costs involved.
- Consideration of previous surveys that were worded in such a way that did not provide meaningful answers from the community.
- Board of Supervisors need to provide input on the direction of the township.
- Surveys must be audited. Identification of individuals completing the survey.
- Unlikely that individuals outside the township would bother with survey in order to skew results.
- Could use sewer accounts as a tool for surveys.
- Potential for putting this subject in abeyance until next year.

16. ADJOURNMENT

SWOMLEY Chairman Swomley adjourned the meeting at 9 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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