

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 14, 2018
APPROVED**

The Springettsbury Township Board of Supervisors held a Regular Meeting on Wednesday, November 14, 2018 at 7 p.m. at the offices of Springettsbury Township located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Vice Chairman
Charles Wurster, Assistant Secretary/Treasurer
Justin Tomevi
Robert Cox

MEMBERS NOT

IN ATTENDANCE: Mark Swomley, Chairman

ALSO IN

ATTENDANCE: Ben Marchant, Township Manager
Charles Rausch, Solicitor
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Wastewater Treatment Plant
Teresa Hummel, Finance Director
Jessica Fieldhouse, Director of Community Development
Nitza Sanchez-Bowser, Director of Human Resources
Colin Lacey, Director of Parks and Recreation
Dan Stump, Police Chief
Andy Hinkle, Manager of Information Systems
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

DVORYAK Vice Chairman Dvoryak called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

DVORYAK Vice Chairman Dvoryak announced there was an executive session held following the October 25, 2018 meeting regarding personnel.

3. COMMUNICATION FROM CITIZENS

KEAGY Dale Keagy, 1741 Lakeview Lane, came before the board as a representative of the York County Rail Trail Authority. He had been asked by their Chairman and Board to thank Springettsbury Township for the support given to the Rail Trail in waiving the engineering fees. They invited the board to attend the Grand Opening for the

Northeast Extension which is tentatively scheduled for Earth Day. He presented a calendar to the board and mentioned that the month of May showed a picture in Springettsbury Township.

STUHRE Charles Stuhre, 3680 Trout Run Road, reported that he still had not received anything from the ambulance company regarding memberships. He noted anything the township could do to get that expedited would be appreciated.

MARCHANT Mr. Marchant stated that they had sent a notice out the end of September, beginning of October that acknowledged that they were honoring their existing customers to the end of the year. They indicated they would send a mailing out in November for renewals.

STUHRE Mr. Stuhre mentioned that there may be problems with the post office because Trout Run Road has a Hellam zip code. They may not be mailing anything to 17406 addresses thinking they are Hellam and not Springettsbury addresses.

MARCHANT Mr. Marchant indicated he would check as they should have the actual membership list.

STUHRE Mr. Stuhre indicated that he had been a member for many years and did not understand why he had not received a renewal request.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written report. He had no changes to his report and offered to respond to questions. There were none.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written report and had several updates.

- MOD Pizza in his Engineer's Report and the Agenda item for approval for signals at Market and Memory Lane - Loop detectors have been replaced by cameras, but the permit that was prepared was not ready. PennDOT advised to allow the old permit to go through and put a note on the plan and the item was resolved.
- Triplet Springs - Public Works investigated the stormwater issue and found the swale, which will collect more of the water, and that has been approved.
- San Gabriel – A meeting was held November 13th with the San Gabriel residents, and there was very good attendance with close to 20 individuals. There was no resolution, but the issues were discussed and hope that there can be some resolution between the higher property owners and lower property owners.

5. CONSENT AGENDA

- A. Acknowledge Receipt of October 31, 2018 Treasurer's Report
- B. Acknowledge Receipt of York Area United Fire and Rescue Commission Budget Work Session Minutes – August 15, 2018
- C. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – August 21, 2018
- D. Acknowledge Receipt of York Area United Fire and Rescue Commission Joint Budget Presentation Minutes – September 18, 2018
- E. Acknowledge Receipt of York Area United Fire and Rescue Commission Meeting Minutes – September 18, 2018
- F. Board of Supervisors Work Session Minutes – September 27, 2018
- G. Board of Supervisors Work Session Minutes – October 11, 2018
- H. Board of Supervisors Regular Meeting Minutes – October 1, 2018
- I. Regular Payables as Detailed in Payable Listing of November 14, 2018
- J. Approval of Real Estate Tax Refund Request for Tax Year 2018 – Quattro York, LLC – 3401 Concord Road (Parcel #46-JJ-7C) in the amount of \$136.20
- K. Approval of Real Estate Tax Refund Request for Tax Year 018 – Quattro York LLC – 3315 Concord Road (Parcel #46-JJ-7A) in the amount of \$299.14
- L. Authorization to Approve Real Estate Tax Refund Request for Tax Year 2018 – Brandy Stephens (Parcel #46-K1-233-AO-CO464) in the amount of \$211.05

MR. WURSTER MOVED TO APPROVE ITEMS A THROUGH L ON THE CONSENT AGENDA. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS, AND AGREEMENTS

- A. Authorization to Award Bid for Dry Polymer to Coyne Chemical, Inc. for the term December 1, 2018 through November 30, 2022 at an estimated annual amount of \$16,110
- B. Authorization to Award Bid for Emulsion Polymer to Coyne Chemical, Inc. for the term December 1, 2018 through November 30, 2022 at an estimated amount of \$121,368

MR. WURSTER MOVED TO APPROVE THE AUTHORIZATION TO AWARD THE BID FOR THE DRY AND FOR THE EMULSION POLYMERS AS PRESENTED. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

There were no communications.

9. COMMITTEE REPORTS

There were no Committee Reports.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had provided a written report. He requested authorization to advertise the Ordinance to make Alcott Road where it connects to Ridgewood out to Mt. Zion to be 24 miles an hour.

MR. TOMEVI MOVED TO APPROVE AUTHORIZATION TO ADVERTISE ORDINANCE TO MAKE ALCOTT ROAD WHERE IT CONNECTS TO RIDGEWOOD ROAD OUT TO MT. ZION ROAD TO 24 MILES AN HOUR. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

RAUSCH Solicitor Rausch noted that a meeting of the Development Authority was scheduled for immediately following the Board of Supervisors meeting. On the agenda there's an appointment of two new supervisors to the Authority Board. The Supervisors in their Supervisor capacity must make those appointments.

MR. WURSTER MOVED TO APPOINT THE TWO NEW SUPERVISORS, JUSTIN TOMEVI TO SERVE THE UNEXPIRED TERM OF BLANDA NACE AND ROBERT COX TO FULFILL THE UNEXPIRED TERM OF KATHLEEN PHAN AS MEMBERS OF THE DEVELOPMENT AUTHORITY AND THE POLICE PENSION BOARD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. MANAGER'S REPORT

A. Manager's Report

MARCHANT Mr. Marchant reported some additional information on the meeting with the residents of San Gabriel. He, too, noted it had gone very well with a sign in sheet of 21 residents. A discussion covered the issues at length and the options and when they left there were no further questions. He indicated, to Mr. Luciani's point, nothing was resolved or determined; however, they have a clear understanding that the township has no responsibility but would certainly assist to facilitate them with questions or desires to form a district or some other mechanism for financing a larger-scale improvement.

The Davies Drive application to the PUC was submitted on Friday, November 9, 2018 and is in the cue. He hoped to see some good results.

Some progress had been made in response to the Right-to-Know request to the Department of Environmental Protection. Mr. Marchant actually withdrew the request because he was getting some cooperation, and it would take time and effort to get some communication over the phone. He was successful in locating all of their standards and protocols, which they have posted on their website and was given some data sets and excel spreadsheets that covers their methodology and the samplings they have taken in Springettsbury. Those will be reviewed in greater detail to see if some standards can be established as the township moves forward with improvements and monitors the progress; not waiting for an assessment down the road.

DVORYAK Mr. Dvoryak questioned whether he had any reasonable expectation of what the turnaround time will be on the PUC application.

MARCHANT Mr. Marchant responded that he did not. The biggest reason for that is the two biggest variables : 1) The bureaucratic process internally at the PUC, for which the township now has a consultant hired to help facilitate. 2) The other is how resistant Norfolk Southern Railroad would choose to be because they could prolong the entire process with an endless amount of subpoenas and questions, and they can use the process to their advantage as well. The expectation is that the township put together a 200-page packet with every possible argument in favor, pictures and affidavits of support and petitions and everything possible to throw at this. The hope is to overwhelm them with a lot of evidentiary facts and so forth for the request that was not part of our previous effort.

WURSTER Mr. Wurster thanked Chief Stump for attending the invitation from the local clergy. He was glad to hear that Springettsbury had some representation, and it looked very interesting. He asked if there was participation by Springettsbury Township's clergy.

STUMP Chief Stump responded that there was that representation.

WURSTER Mr. Wurster noted that he had heard there is an East York Ministerium reforming, which may be of interest and a tie-in to that. Additionally, he noted in reviewing the Police Department's monthly activity report for October, it seemed as though there are all sorts of incidents that are up versus last year. He asked Chief Stump if there was a specific reason.

STUMP Chief Stump responded that there has been an increase every year in call volume. He noted it related to more people coming through the township, additional activity, more awareness.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2018-54 – Authorizing Submission of Grant for Development of Plans and Policies to Enhance the Built Environment and Expand Opportunities for Physical Activity.

MR. TOMEVI MOVED TO ADOPT RESOLUTION NO. 2018-54. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Resolution No. 2018-55 – Authorizing Submission of Application to PennDOT for Traffic Signal Approval at East Market Street/Memory Lane/Haines Road Intersection and Authorization for Township Manager to Execute Necessary Documents.

MR. TOMEVI MOVED TO ADOPT RESOLUTION NO. 2018-55 AND HAVE TOWNSHIP MANAGER SIGN THE DOCUMENTS. MR. WURSTER WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Old Business

- Evaluate Remainder of “Accessory Use” Ordinance (work session will be scheduled in January 2019)
- Resolution No. 2018-43 – Opposition to House Resolution 291 of 2018 Re: Statewide Collection of Earned Income Tax

DVORYAK Mr. Dvoryak asked Ms. Hummel if she was looking for anything this date on the House Resolution.

HUMMEL Ms. Hummel responded no. She had sent a memorandum update to the board, but the board does not need to take any action. The Feasibility Study has moved forward, and the report is due at the end of this year. Unfortunately, the state has come back with a collection fee range of 5 to 8% for earned income tax, which was well above where our local York Adams Tax Bureau is. Across the state municipalities and school districts certainly are opposing this moving forward. She indicated she won’t know where it’s going to be until the Feasibility Study is published the end of this year.

WURSTER Mr. Wurster questioned whether there is a state-wide association for tax bureaus.

HUMMEL Ms. Hummel responded not that she was aware of but she knew that the Executive Director and other Executive Directors met with the state representative of the Governor’s Office to talk about this Resolution. The feasibility is moving forward as the York Adams Tax Bureau representatives have been interviewed through the Feasibility Study. The representatives of the Feasibility Study are finding out how cost effective this program is at the local level. Hopefully their report will answer some questions.

WURSTER Mr. Wurster noted that it could be the silver lining.

HUMMEL Ms. Hummel stated that was the estimate; right now the township is paying 1.85%.

WURSTER Mr. Wurster commented that he assumed the lobbying effort against that would point out how much more efficient it is.

HUMMEL Ms. Hummel noted that they do have lobbyists working for them.

WURSTER Mr. Wurster added that follow up should be done.

- Martin Library Payment - \$37,000 (Finance)

MARCHANT Mr. Marchant reported that he had sent an email to other municipalities requesting input on whether or not they make financial contributions to the libraries. He had heard back from four. Dover Township does not, but they actually provide an in-kind space in their community building for the Dover Community Library. The

Library does not pay rent but does pay a portion of the utilities. Jackson Township contributes \$7,000 to the Glatfelter Library in Spring Grove Borough. Dallastown Borough contributes \$4,000 annually to the Kaltreider Library in Red Lion. Penn Township contributed \$80,000 to the Guthrie Memorial Library, which is not part of the York County Library system. The amount they funded for 2019 is \$85,000 and they did point out some years it has been very contentious because the library is technically owned by Hanover Borough and they have had some issues regarding the lease. The township also supports the library fundraisers by advertising in the township's websites, social media, collecting books for the book sales in the municipal building and their managers also assigned to attend the meetings of the library board so there's an active involvement. Those were the four I heard back from today. He had hoped to hear from York Township, Manchester Township and some of the closer neighbors that could be affiliated more so with the Martin Library in York City. That's what I have as far as what's going on.

WURSTER Mr. Wurster noted that Jackson Township, Penn Township supports a library that is surrounded by their residents.

TOMEVI Mr. Tomevi indicated that he would like to see some sort of library activity in Springettsbury Township and would be interested in whether we could use this payment as leverage of sorts to try to get some movement toward that activity.

WURSTER Mr. Wurster stated that the township does pay \$6,000 for the existing library service that is presently operating. This was a direct contribution basically to support some of the library activities which have diminished over time here in the township through no fault of necessarily the township or necessarily the library. It just happened that the one library facility was at the Art Institute. Mr. Wurster stated he would be interested in having more conversation as to what a library investment looks like expanded here by the library and have that dialogue. He agreed with Supervisor Tomevi to hold the funds for the sake of having ongoing discussion to see what that looks like. He and Mr. Marchant had discussed the thought that there could possibly be some space temporarily in the Galleria Mall, that a library facility could occupy on a short-term basis until demand for the Galleria space expands. Additionally, that might be a conversation that we could have with the library and the mall or any other retail facility in the township.

COX Mr. Cox stated he had some involvement with CBL Realty in the past wearing his realtors' hat. There are currently eight vacancies on the upper level of the mall between Sears and the Bon Ton in just that wing on just that level. One of them is right next to where the mall office use to be a recruiting station. That space could be donated to the library just to bring all the people that would like to use a branch library into the mall that could conceivably support all the rest of the tenants. Mr. Cox thought it would be a conversation someone should have with the mall manager and/or perhaps even someone higher.

TOMEVI Mr. Tomevi stated with the casino coming in, perhaps from a public relations standpoint, they might be interested in underwriting some of that activity because it would be right next to their business.

DVORYAK Mr. Dvoryak noted the great comments and really good thinking on everyone's part. He fully supported using the funds as leverage for that conversation to see if some sort of service can be brought back to the township.

WURSTER Mr. Wurster commented that, as a banker, he appreciated the word leverage. The investment had been made in the past, and it will be important to have a conversation concerning a library in the township.

TOMEVI Mr. Tomevi indicated that the representatives seem to be open for discussion.

- Mercantile Tax – Hold for next meeting.

14. NEW BUSINESS

A. Fit Core Course Project – Springettsbury Township Project

LACEY Colin Lacey presented a proposal for the Fit Core Course. He introduced Wil Hemler of General Recreation to answer any questions, who had been the representative involved in Springetts Castle Park. He provided several videos showing different layouts, levels of intensity and levels of fitness of the Ninja-Warrior-type course. The courses were designed for ages 5 to 12 and 13 plus. Actual size of the plan is just slightly under 6,500 square feet. He proposed a site for the course would be on the other side of the tennis courts.

Discussion took place with a summary of points following:

- Local gym instructors be using the facility.
- Would be subject to township's regulations.
- Existing fitness course are already here in the township.
- Added liability issues; safety surfacing would be installed; township has sovereign immunity.
- Promotion in effect to purchase and have equipment delivered by 12/31/18.
- Options available for building the equipment; \$18,000 if provider installed.
- \$159,000 for purchase, components, safety surfacing, concrete, drainage stone, installation/engineering and Public Works; minimal yearly maintenance.

LACEY Mr. Lacey noted the project considerations. He noted that there was some difficulty attaining a quorum for the Parks and Rec Board, and there had been some split decisions as well. He noted comments:

- Priority for Augustus Schaeffer Park revitalization. Rec Fund fees in the amount of nearly \$130,000 are available.

- Ann Yost of YSM could pursue revitalization; bring it to standard; ADA compliant for about \$150,000.
- Plan would not involve play equipment, revitalize baseball field, resurface basketball court.

WURSTER Mr. Wurster noted that he had a discussion with three ladies who live in the Augustus Schaeffer neighborhood. Those comments are summarized:

- Do not revitalize the baseball diamond.
- Upgrade the basketball court
- Add additional grills; add electric service to the pavilion.
- Add smaller playground equipment; more age-appropriate.
- Make portable restrooms available.

LACEY Mr. Lacey indicated that he was seeking approval on the purchase of the fitness equipment.

DVORYAK Mr. Dvoryak stated that he would like to revisit the Park and Rec Plan that had been developed some years ago to make sure the money is being spent with some priorities. He commented that the Augustus Schaeffer Park is one that had been brought up in recent years that had been somewhat neglected. He would be in favor of reviewing where to focus efforts in the next few years.

WURSTER Mr. Wurster suggested a Work Session with the Rec Board and the Supervisors to assist Mr. Lacey with direction.

TOMEVI Mr. Tomevi indicated he would be in favor of a Work Session as well.

WURSTER Mr. Wurster suggested that a Parks and Rec dialogue be placed on the Old Business list.

MARCHANT Mr. Marchant agreed with a Work Session. He commented that as far as Augustus Schaeffer Park, everything that was stated for consideration is exactly what was noted in the 2009 Master Plan. He thought the township could provide the upgrade for far less than \$150,000. Mr. Marchant noted he would look toward scheduling a meeting in the first quarter of 2019.

HEMLER Mr. Hemler noted that the community built the new playground. A smaller playground would take a weekend.

WURSTER Mr. Wurster responded that the age group would vary so smaller scale playground equipment for the Augustus Schaeffer Park.

HEMLER Mr. Helmer noted they could absolutely provide that. They could design something that would fit the budget and the vision.

B. Authorization to Advertise 2019 Proposed Budget

The board had a lengthy discussion surrounding their thoughts on the 2019 budget. The conclusion of their discussion is summarized in the Motion.

MR. WURSTER MOVED TO ADVERTISE THE 2019 BUDGET SUBJECT TO REMOVAL OF THE \$37,000 AS A LINE ITEM IN EXPENSES FOR THE LIBRARY; MOVING THE DELTA OF \$68,000 AND CREATING A SEPARATE LINE ITEM AS AN OVERALL BUDGET CONTINGENCY; STAGGERING THE SEWER FUND HIRES IN JANUARY AND IN JUNE; INCREASING THE REC FEES ON THE RECREATION PROGRAM; ALLOCATING THE INTEREST EARNINGS ON THE ENDOWMENT FOR THE LIBRARY AND REMIT THAT TO MARTIN LIBRARY AS PER THE TRUST ARRANGEMENT; ALL OTHER ITEMS IN THE BUDGET INCLUDING MS4 FEE ARE RECOMMEND APPROVAL AS PRESENTED. MR. TOMEVI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Set Time for January 7, 2019 Reorganization Meeting
- D. Set Dates and Times for 2019 Regular Meetings of the Board of Supervisors
- E. Set Dates and Times for 2020 Proposed Budget Work Sessions

MR. TOMEVI MOVED TO SET TIME FOR THE JANUARY 7, 2019 REORGANIZATION MEETING TO 6 P.M.; TO SET DATES FOR THE 2019 REGULAR MEETINGS OF THE BOARD OF SUPERVISORS TO THE SECOND AND FOURTH THURSDAY OF EACH MONTH AT 7 P.M. WITH THE EXCEPTION OF JUNE, JULY AND AUGUST BEING THE FOURTH THURSDAY ONLY; NOVEMBER, THE SECOND WEDNESDAY ONLY, AND DECEMBER THE SECOND THURSDAY ONLY; IN ADDITION SETTING THE DATES AND TIMES FOR THE 2020 PROPOSED BUDGET WORK SESSIONS FOR OCTOBER 21, 2019, NOVEMBER 4, 2019, NOVEMBER 6, 2019 AT 6 P.M. WITH THE EXCEPTION OF THE BUDGET PRESENTATION NOVEMBER 13TH BEING AT 6:30 P.M. MR. COX WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

DVORYAK Vice Chairman George Dvoryak adjourned the meeting at 9:05 p.m.

Respectfully submitted,

Doreen K. Bowders
Secretary

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