

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, December 9, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees to the last official meeting of 2010. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchar Horn, Inc.

CRABILL Mr. Crabill had provided a written report. He presented updated photographs of the clarifier. He noted that the schedule supplied by the general contractor had been reviewed and at this time completion of the project is scheduled for March 2, 2011, which will place it nine days back. He offered to respond to any questions on his report.

B. Civil Engineer – First Capital Engineering, Inc.

- LUCIANI** Mr. Luciani had provided a written report and provided several updates:
- Lancaster County Bible Church – Traffic movement onto North Hills Road being addressed by developer with PennDOT.
 - Yorkshire Elementary – A No Parking zone will be created on Mill Street. Traffic and Engineering Study to be done. An ordinance will be created prohibiting some parking on the west side of Mill Street.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire & Rescue Commission Meeting Minutes – October 19, 2010.
- B. Board of Supervisors Budget Work Session Minutes – October 13, 2010
- C. Board of Supervisors Regular Meeting – November 17, 2010
- D. Conewago Enterprises, Inc. – BNR Project – Request for Payment No. 19 in an amount not to exceed \$1,043,077.20.
- E. Frey Lutz Corporation – BNR Project – Request for Payment No. 17 in an amount not to exceed \$2,850.
- F. Gettle Incorporated – BNR Project – Request for Payment No. 17 in an amount not to exceed \$411,450.70
- G. Regular Payables as Detailed in the Payable Listing of December 9, 2010.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH G. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Agreement with Hemler Animal Control Service for 2011.

MR. DVORYAK MOVED TO AUTHORIZE ENTERING INTO THE AGREEMENT WITH HEMLER ANIMAL CONTROL SERVICE FOR 2011. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

- A. SD-06-11 – 3308 Druck Valley Road – 1/25/10 (Action)

BAUGH Mr. Baugh provided background information with regard to the above plan. He had documented further information in a December 9, 2010 memorandum. The plan proposed to relocate a lot line separating two existing lots adjusting the size of the lots, which houses one structure and one vacant lot. He noted that the plan had a number of complexities. He provided a PowerPoint presentation documenting the rural residential zoning, an aerial view, site plan, waivers and conditions. Planning Commission recommended waivers for curbs, gutters, sidewalks, widening the road covered by a six-month note to be placed on the plan. Conditions on the plan are mainly administrative.

- SCHENCK** Chairman Schenck noted that the intention is to establish a building lot. A minor subdivision process would not have been appropriate.
- BAUGH** Mr. Baugh responded that he was correct. The shape of the lot is not attractive. By moving the lot line, the property provides for a new building lot.
- LANDIS** Ms. Landis asked for clarification of the boundaries.
- LUCIANI** Mr. Luciani provided an explanation. A requirement for buffering exists along certain classifications of streets. A driveway is planned where there are existing trees, which likely meet the buffer requirement and which would shield headlight intrusion. Some of the trees will be removed, but as long as some of them remain, the requirement will be met.
- LANDIS** Ms. Landis asked about the stormwater. She noted that her property is a few homes away from the site. There is a steep hill, and there are consistent stormwater problems flowing down Druck Valley Road. Although there is an existing collection basin, in the summer there is a lot of water crossing Druck Valley Road which floods out the bottom of the road. She noted the stormwater is a concern to her.
- LUCIANI** Mr. Luciani thanked her for that information. He noted that water flows from Rocky Ridge Park down the hill and cuts diagonally across the property. He made several points:
- Engineers and builders are encouraged to design stormwater management.
 - Builder will likely build up the ground to force water another direction.
 - Township requires a 30-foot easement.
 - Stormwater will be redirected; won't aggravate the situation.
 - Ordinance requires the flow to be cut by 50%.
- BISHOP** Mr. Bishop questioned the stormwater maintenance program.
- LUCIANI** Mr. Luciani responded that because they are infiltrating water, MS4 requirements state that the stormwater systems be maintained.
- BISHOP** Mr. Bishop asked whether the subservice detention trench inspection would be the owner's responsibility.
- LUCIANI** Mr. Luciani responded that he was correct. It would be clarified by the homeowner's engineer.
- SCHENCK** Chairman Schenck asked if he was comfortable waiving the sidewalks with a six-month note versus placing it into a modification.
- LUCIANI** Mr. Luciani stated that it is a Preliminary Plan and an HOP is needed to bring the sewer across Druck Valley Road to the driveway.

- LANDIS** Ms. Landis asked whether the existing home currently is on public sewer.
- LUCIANI** Mr. Luciani responded that it is on public sewer.
- BISHOP** Mr. Bishop noted that the information the board was provided does not mention Preliminary Plan.
- LUCIANI** Mr. Luciani responded that the plan is entitled Preliminary Reverse Subdivision and Subdivision Plan.
- BISHOP** Mr. Bishop noted that in the detail it states, Preliminary/Final Plan.
- SCHENCK** Chairman Schenck stated for clarification that the request is for Preliminary approval.

MR. BISHOP MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-06-11 TO GRANT THE FIVE WAIVERS LISTED IN THE MEMO FOR THE DECEMBER 9TH MEETING WITH THE MODIFICATION TO THAT MEMO THAT IT SAYS PRELIMINARY SUBDIVISION PLAN; AND FURTHER MOVE WITH RESPECT TO THAT PRELIMINARY PLAN TO GRANT THE SIX CONDITIONS IN THE SAME MEMO; FURTHER NOTING ON THE MAINTENANCE PROGRAM ON THE COVER SHEET OF THE PLAN, ITEM #1 OF THE MAINTENANCE PROGRAM SHALL READ THAT THE SUBSERVICE DETENTION TRENCH SHALL BE INSPECTED AT LEAST TWO TIMES PER YEAR BY THE PROPERTY OWNER AND PROOF OF INSPECTION BE SUBMITTED TO THE TOWNSHIP IN WRITING. MR. BOWMAN WAS SECOND.

- LUCIANI** Mr. Luciani responded that DEP requires that the homeowner is responsible to inspect their stormwater facility. Mr. Luciani was not certain how enforcement would take place but the ordinance specifically requires that the facilities be inspected twice a year.
- LANDIS** Ms. Landis asked how the homeowner could be kept accountable.
- LUCIANI** Mr. Luciani responded that the township is an MS4 community, and sampling, observation and testing are being done.

MOTION UNANIMOUSLY CARRIED.

- B. Introduction of Proposed Energy Conversion Systems Ordinance – Presentation by Marian Maxwell-Hull, URS

- SCHENCK** Chairman Schenck introduced Marian Hull for a presentation on a proposed addition to the Zoning Ordinance to deal with energy systems.
- HULL** Ms. Hull provided a PowerPoint presentation on the uses of energy systems. Documentation of her presentation had been provided for the board's review. She intended to brief the board on primary uses in districts and noted that the zoning changes are fairly minor. They list where and how the uses are permitted. A separate

ordinance will be set up for the actual energy ordinance. She noted that no action would be necessary this date. She presented a summary of the ordinance provisions, the proposed zoning amendments and the huge interest in alternative energy generation, cost savings and environmental benefits. She provided an explanation of Geo-Thermal, Outdoor Furnaces, Solar Systems, Wind Systems and regulations. She noted that a preliminary draft of the Energy Ordinance was presented to the Planning Commission. The zoning changes are referred to the Board of Supervisors for consideration and those zoning changes go through the MPC process. A lengthy discussion took place of zoning districts, acreage sizes, heights, risks and suggestions.

SCHENCK Chairman Schenck thanked her for a good presentation.

8. COMMUNICATION FROM SUPERVISORS

DVORYAK Mr. Dvoryak commented on the information he had received on the Library Fund. He provided a summary of his review of the creation, history and agreements for the Library Fund, summarized:

- Dr. Lewis Williams' estate left a trust for free public library services.
- Township may not be meeting its implied fiduciary responsibility to preserve the purchasing power.
- Approach has been ultra-conservative with Money Markets and CD's.
- Recommended long-term investments; possibly turning over management of fund to organizations that specialize in investments. That could result in relieving township staff of administering fund; potentially it will quadruple in dollars; and meet the fiduciary responsibility by generating a return exceeding rate of inflation. Township would retain ownership.
- Current value is approximately \$190,000; initially fund was \$32,000.
- CD comes due in January, 2011.
- Solicitor to review whether fund came into the township via a court order.
- Recommend consideration of several investment organizations.
- Martin Library System receives annual donation from township.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated he had nothing to add to his written report as submitted.

11. ORDINANCES AND RESOLUTIONS

- A. Authorization to Advertise Ordinance for Springettsbury Township to Enter into an Agreement with Other Local Governments Relating to the Retention of a Consultant and the Joint Purchase of Certain Utility Services and Products.

- HOLMAN** Mr. Holman stated that he and the Solicitor had discussions with Benchmark regarding Springettsbury taking the lead. He requested authorization to advertise the ordinance to set up the agreements with the other local governing municipalities in order to do the joint purchase of utilities and services.
- LANDIS** Ms. Landis questioned what the process of withdrawal would be if a municipality joined and then decided that the savings weren't as much as anticipated.
- HOLMAN** Mr. Holman responded that it would be included in the agreement that they would submit to withdraw.
- RAUSCH** Solicitor Rausch added that they each have a separate agreement with Benchmark. He added that, for the purposes of the COG, if they are not going to purchase electricity, they just don't buy. However, the auditing is done by separate agreement.
- LANDIS** Ms. Landis asked whether Benchmark will provide an annual audit report that would document savings from last year to this year.
- HOLMAN** Mr. Holman responded that they will provide a six-month audit. One consideration for consideration during that six-month audit is that the sewer plant will be starting up their ultra-violet system which will be an energy user.

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISING THE ORDINANCE FOR SPRINGETTSBURY TOWNSHIP TO ENTER INTO AGREEMENT WITH OTHER LOCAL GOVERNMENTS RELATING TO THE RETENTION OF A CONSULTANT FROM THE JOINT PURCHASE OF CERTAIN UTILITY SERVICES AND PRODUCTS. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Advertise Ordinance Authorizing Execution of a Cable Franchise Agreement between the Township and Comcast of Southeast PA, LLC.

MS. LANDIS MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE AUTHORIZING EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE TOWNSHIP AND COMCAST OF SOUTHEAST PA, LLC. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Advertise Proposed Zoning Amendments to Implement the Energy Conversion Systems Ordinance.

MR. BISHOP MOVED TO REFER THE PROPOSED ZONING AMENDMENTS TO IMPLEMENT THE ENERGY CONVERSION SYSTEMS ORDINANCE TO THE YORK COUNTY PLANNING COMMISSION FOR REVIEW. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Resolution No. 2010-56 – Authorizing a Supplemental Appropriation for Fire Relief Funds.

HOLMAN Mr. Holman indicated that the township is a pass through for the Fire Relief Funds. The budget is amended to reflect the total amount passed through to the Relief Association. The amount was \$17,660 higher than anticipated.

DVORYAK Mr. Dvoryak asked for information about the appropriation.

SCHENCK Chairman Schenck explained that insurance companies not based in Pennsylvania that sell insurance in Pennsylvania are required to pay a tax. That then is divided with volunteer fire companies to provide for the health, safety, and welfare of volunteer firefighters. They can purchase some things like life insurance, but more likely it is used for turnout gear, safety equipment, reflective vests, etc. Use of the funds is very strict and is audited by the state annually.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2010-56 AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR FIRE RELIEF FUNDS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2010-57 – Authorizing the Transfer of Funds from One Account to Another Account within the General Fund (Fire Department Transfers).

HOLMAN Mr. Holman noted that this item authorizes the transfer of \$124,500 from what had been funded for YAUFRR back into benefits, medical, etc. for the employees. The action is done separately from regular transfers in order to keep abreast of everything within YAUFRR and the fire budget.

LANDIS Ms. Landis asked where the money came from as she recalled a discussion about there not being any left over money.

HOLMAN Mr. Holman responded that a specific amount was budgeted to go to YAUFRR. However, YAUFRR did not need the total amount that was transferred and that money will be transferred back into other areas of the budget.

DVORYAK Mr. Dvoryak asked whether YAUFRR was authorized to retain any surplus funds.

HOLMAN Mr. Holman stated that YAUFRR will retain a fund balance.

DVORYAK Mr. Dvoryak indicated then that YAUFRR can retain a surplus.

SCHENCK Chairman Schenck indicated that there had been dialogue about how big the surplus should be and it was somewhere between 3% to 5% managed by township approval of the budget.

HOLMAN Mr. Holman clarified that YAUFRR was interested in holding a fund balance in order that they could write checks and have a cash flow. YAUFRR will be fully independent next year.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2010-57. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- F. Resolution No. 2010-58 – Authorizing the Transfer of Funds from One Account to Another Account within the General Fund (2010 Budget Year End Closing Transfers)

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2010-58. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck stated that he had a request to act on the YAUFRR budget before the township budget.

- I. Resolution No. 2010-61 – Approval of 2011 YAUFRR Budget

SCHENCK Chairman Schenck reported that Spring Garden Township Commissioners had passed their portion of the budget during their last meeting.

DVORYAK Mr. Dvoryak asked whether there would be any conflict of interest since Mr. Bishop and Mr. Schenck are board members of YAUFRR and he, personally, is an alternate.

RAUSCH Solicitor Rausch noted that there is no pecuniary benefit to be obtained through this function and as a result there would be no conflict.

LANDIS Ms. Landis noted that, inasmuch as she is not on the YAUFRR board or any of the volunteer fire boards, she was not 100% comfortable with the budget. However, she would rely upon the board representatives who serve on those boards. She expressed the hope that next year there would be more paperwork, figures and dialogue with the Springettsbury board members that are not involved in order for her to be more comfortable in the review of a \$2.5 million budget.

SCHENCK Chairman Schenck responded that she made a fair statement and she would be made aware of all the budget meetings. He added that they are all public meetings. There was documentation, and the documents could be distributed to both township boards through the managers.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2010-61, YAUFRR 2011 BUDGET AS SUBMITTED. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- G. Resolution No. 2010-59 – 2011 Budget Adoption

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2010-59, 2011 BUDGET ADOPTION. MR. BISHOP WAS SECOND.

DVORYAK Mr. Dvoryak commented on his observations, summarized:

- Economic hardships have not left Springettsbury unscathed as revealed in revenues.
- Challenging to put together a meaningful budget going forward.

- Rapid erosion of surplus – current trend indicates reserve eroded in early 2012.
- Strategic Planning meetings to be held going forward; should have been done prior to passing 2011 budget.
- Budget that has funding in place for non-contractual bonuses is not appropriate or acceptable.

Mr. Dvoryak stated that he would not support the 2011 budget for the above reasons.

LANDIS

Ms. Landis provided her comments on the budget, summarized:

- Springettsbury is not increasing taxes; favorable for taxpayers.
- Challenged with the financial management and strategic planning.
- LST Tax – not appropriately escrowed, used to fund general operating costs, targeted to be set aside for debt service. Future debt service will come forward in the near future.
- General Operating costs cannot be balanced without LST funds if they are allocated to Capital Improvements.
- Could have carved out more areas of expenditures.
- Massive decrease in surplus.
- Police department took broad hit; \$50,000 was transferred for budget overage during 2010. Final 2011 budget was less than 2010.
- Strategic Planning will determine objectives, set priorities and highlight threats and opportunities.

Ms. Landis stated that she would not be voting for this budget.

SCHENCK

Chairman Schenck stated that he had not intended to comment; however, he noted several points, summarized:

- Economy had caught up with Springettsbury.
- Surpluses are there for good reason put there by the taxpayers.
- Economy being as it is, it is a good time to dip into them.
- Board has done a pretty good job as a first step to bring things under control. It won't happen in one budget cycle. Trimming in this budget was done to magnitudes not seen in the past. It is a very conservative budget especially with contracted wages for the police with 3.6% raises.
- Good progress was made this year and will be made next year.
- Board has done its due diligence.

MOTION CARRIED 3/2. MESSRS BISHOP, BOWMAN AND SCHENCK VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED OPPOSED.

H. Resolution No. 2010-60 – 2011 Tax Levy

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2010-60. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS.

- A. Reset the Date and Time for 2011 Reorganization Meeting (must be held on January 3, 2011).

Consensus was to schedule the Reorganization meeting at 5 p.m. on Monday, January 3, 2011 at the Springettsbury Township offices.

BISHOP Mr. Bishop proposed that, following the adjournment of the Reorganization meeting, the board begin the Strategic Planning process.

Consensus of the board was to move forward with Strategic Planning January 3, 2011 following the Reorganization meeting.

13. NEW BUSINESS

- A. Authorization to Approve Court Stipulation for Tax Refund Request – Colony Park Lanes, Inc./East for the year 2010 in an amount of \$321.23.

MS. LANDIS MOVED TO APPROVE THE AUTHORIZATIONS TO APPROVE COURT STIPULATION FOR TAX REFUND REQUEST, COLONY PARK LANES, INC./EAST FOR 2010 IN THE AMOUNT OF \$321.23. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:15 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**DECEMBER 6, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Work Session Meeting on Wednesday, December 6, 2010 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jack Hadge, Financial Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Robert McCoy, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated that the purpose of the work session was to review a revised budget with the intent to reduce the use of fund balance and hold revenues intact. The board reviewed each department.

HOLMAN Mr. Holman reported reductions were realized in all departments, which amounted to a reduction of \$363,900 for a total budget of \$12,963,025. Mr. Holman had presented documentation of the reductions for the board's review. He had met with the department heads and directors with regard to the budget reductions.

A summary of some of the main issues included:

- Discussion of the Local Services Tax continuing to be used in the General Fund versus being used for the debt service.
- Debt Service – Consensus to remove the amount for 2011; forward it to 2012.
- Reduction in the use of surplus
- Strategic Planning process to begin sooner than later.
- YAUFRR budget approval to follow township budget approval
- Twelve-hour shift for Police Department – Examine power shift process
- Use of Professional Services, Engineering, Legal, etc.
- Teamster contract to be negotiated in 2011
- Non-contractual increases at 2-1/2%; should be 2% or less. Executive Session to be held for further discussion.
- Medical Insurance Co-pays

- Revenues year to date (December) still have significant payments to be received.

DVORYAK Mr. Dvoryak thanked the staff and Mr. Holman for the proactive things done to squeeze the budget. He was very appreciative of the changes and proactive steps taken.

SCHENCK Chairman Schenck noted that Springettsbury Township will be in a great position to take a political lead to try and control costs, in consideration of pension costs, health benefit costs and unfunded mandates. The legislators will need to be involved to assist in doing that and this board has to make a decision how to do that.

LANDIS Ms. Landis agreed to taking the approach with state legislators to assist with some of the uncontrolled expenses.

SCHENCK Chairman Schenck asked whether the board could agree to move forward on the revised budget for the December 9th meeting. He noted that there were items for discussion in an Executive Session.

DVORYAK Mr. Dvoryak indicated that it made sense to put the budget on the agenda for Thursday. He indicated it would likely pass with a 3/2 vote.

LANDIS Ms. Landis was in agreement to move ahead with the revised budget and begin the Strategic Planning meetings. She agreed with Mr. Dvoryak that the budget would pass 3/2.

Consensus of the board was to move forward and act upon the revised budget during the December 9, 2010 Board of Supervisors meeting.

HOLMAN Mr. Holman asked whether the board would provide further direction for him with regard to the Strategic Planning.

BISHOP Mr. Bishop noted that he had previously suggested that a Strategic Planning meetings should be scheduled this date in order to get them on the calendar. He added that he was interested in a comment made by Mr. Dvoryak indicating that the board needed to send the right message. He noted that the Strategic Planning process is a good way to begin.

BOWMAN Mr. Bowman indicated he was in agreement.

BISHOP Mr. Bishop indicated he would invite specific suggestions for the Strategic Planning meetings.

Consensus was to schedule Strategic Planning meetings.

HADGE Mr. Hadge stated that for the December 9th agenda, the motion made would amend the current budget for the revisions.

HOLMAN Mr. Holman noted that there was no need to re-advertise.

LANDIS Ms. Landis asked whether the board had given direction to have Mr. Holman review the salary and wages for the Manager's office.

SCHENCK Chairman Schenck responded that he had requested clarification.

HOLMAN Mr. Holman responded that he would go back and get information back to the entire board.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:25 a. m.

Respectfully submitted,

John Holman
Secretary

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The Board of Supervisors of Springettsbury Township held a Budget Work Session on Wednesday, November 23, 2010 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

NOT IN

ATTENDANCE: Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jack Hadge, Financial Director
Jim Baugh, Economic and Community Development Director
Angela Liddick, Community Development Coordinator
Charlie Lauer, Director of Public Works
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Robert McCoy, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated the purpose of the meeting was to review proposed 2011 budgets and that the meeting was an advertised public meeting. He asked for public comments, and hearing none he asked Mr. Baugh to speak to the Community Development Budgets.

Community Development

BAUGH Mr. Baugh reported that the Community Development Budget was one of the smallest budgets and pays for itself. He stated that the largest expense, other than salaries, is contract services. He noted that in 2011 two hotels will be constructed, and outside reviews will be done due to the size of those projects. Cost of plan reviews are included in the permit fees.

SCHENCK Chairman Schenck commented that, among other complaints he had received in the past, one item involved the timing of the general building permit process. He asked whether there would be anything that should be adjusted as far as budgeting was concerned.

BAUGH Mr. Baugh responded that there were several reasons: 1) the contractors may not have submitted an application, 2) the permit is reviewed and forwarded to the appropriate party with questions, 3) there is a tracking process which is

monitored, and 4) the application process itself is somewhat complicated. He stated that the required inspections generally are performed within 24 hours.

HOLMAN Mr. Holman noted that if a project was slated for spring or summer, the process could begin in January or February and would be much faster than in June or July when there building projects are in the newsletter, the financial aspect is on the website.

BAUGH Mr. Baugh noted that, with regard to the website, most people don't understand what Community Development means, and if there were a line item for the zoning permit plans it might assist in the process.

BISHOP Mr. Bishop commented that generally the website is a wealth of information that is impossible to find inasmuch as it is buried underneath departments. Mr. Bishop asked whether the state-wide Building Code had dramatically changed the way his department works.

BAUGH Mr. Baugh responded that it had changed but was not as dramatic in Springettsbury as it was in many other townships because a Building Code was in place.

HOLMAN Mr. Holman noted that the expenditure side was down significantly. He stated that one of the larger areas that had decreased related to the Comp Plan is now completed. He noted that there is \$5,000 in the budget for assistance on zoning issues from Consultant Marian Hull.

SCHENCK Chairman Schenck thanked Mr. Baugh for his input.

Finance

HADGE Mr. Hadge reported that during 2010 the Finance Department staff was involved in shifting a variety of duties in the aftermath of vacancies. The staff focused on the full use of the MUNIS, Municipal Information Services System, for which Mr. Hinkle was a strong support. More cross training was done, and the payroll functions were shifted to Human Resources. The 2011 budget shows a \$5,000 item for part-time wages, which is intended for placing an inventory of the township assets into the system. A portion of that inventory was done in the sewer fund. In addition, the part-time assistance includes focus on the sewer liens handled by Mrs. Bowders. He noted the addition of a \$500 budget item for service charges.

DVORYAK Mr. Dvoryak asked what is included in contract services.

HADGE Mr. Hadge responded that it included the Pitney Bowes copying charges along with another cost for scanning invoices.

HOLMAN Mr. Holman indicated that the tax collector commissions had increased due to the York Adams Tax Bureau raising their original rate from 1% to 2% on Business and Mercantile charges that they are now collecting. The township tax collector is included for approximately \$13,000.

Debt

HADGE Mr. Hadge reported that the debt item had been covered in Capital. The amount of \$250,000 of debt service for Note B expires in 2015. This is General Fund debt, but the particular note was specifically related to road improvements and was kept in the Capital budget. The amount of \$300,000 will be transferred from General Fund to the Capital Fund to cover the debt. Mr. Hadge noted that he had provided the debt service for \$12 million.

Board of Supervisors/Township Manager

HOLMAN Mr. Holman noted that the budget for the Board of Supervisors did not change. Salaries and wages are fixed by population. The 2011 Census figures may provide for some adjustment.

HOLMAN Mr. Holman reported on each of the categories shown on the spreadsheet provided to the board members. Specific items discussed and summarized:

- Strategic Planning Project to be shifted to the forefront to explore future opportunities.
- Capital Item of \$10,000 for electronic filing project.
- Teamster contract to be negotiated in 2011.
- Architectural, engineering and legal services to be reduced.
- MIS – Potential phone system upgrade and replacement of older server.
- Insurances – Major impacts from law enforcement liability; also citizen claims for damages.
- New Insurance Carrier, Selective, took on high risk areas of police and fire, Civil Service complaints. Environmental Insurance paid over three-year period for trucks rolling on the roads. Disability, Life, Dental, Vision had no significant changes.
- Medical Insurance – YAUFRR Firefighters not included; estimated figures to be reviewed for accuracy.
- Firemen's Line Item - Unfunded liability for debt service \$138,000.
- Contract Services/Claims Administration – Benecon is handling these.
- Unfunded Liability for Police Pension – Board decision to not postpone payment; no smoothing.
- Teamsters Increase due to salaries and wages. Teamsters Pension 2010 \$90,000; 2011 \$103,000.
- Contingency Fund for special emergencies cut to \$40,000.
- General Fund surplus goal is \$100,000; currently \$3 million; will use \$1.75.

Revenues

- HADGE** The General Fund Real Estate Tax spreadsheet was reviewed line by line. Mr. Hadge stated that the real estate tax increased from 2009 at \$1,729,000 to projected collection in 2011 at \$1,750,000 an increase from 96% to 98%.
- DVORYAK** Mr. Dvoryak asked if every dollar bill were to be collected what the amount would be.
- HADGE** Mr. Hadge responded that the amount would be \$1,787,000 based upon the 2010 assessed valuation.
- HOLMAN** Mr. Holman stated that 2010 real estate taxes collection to date are \$1,770,000; projection for 2011 is \$1,775,000. Earned Income Tax will decrease slightly. Mercantile Tax will slightly increase. Local Services Tax will provide increased return. Business Privilege Tax will increase.
- HOLMAN** Mr. Holman reviewed the line items that indicated no significant changes. He mentioned that there will be an increase in the Wastewater Treatment area based on increases in healthcare and salaries. A portion of the manager's, Mrs. Bowers and Mrs. Speicher's salary, along with several other employees are included in that number.
- HOLMAN** Mr. Holman indicated that Chief McCoy was in the process of obtaining figures for EMS with regard to ambulance fees.
- MCCOY** Chief McCoy responded that he was still working on that project and rounding them out for a category.
- HOLMAN** Mr. Holman noted that Parks and Recreation had a very successful year. York Waste will continue its sponsorship the Fourth of July celebration. Saturday in the Park was very successful along with other planned activities.
- HOLMAN** Mr. Holman indicated his goal would include the sale of the Walker property. Additional discussion took place concerning the following:
- Waste Reduction Fee – Very good over the year.
 - Insurance proceeds – Significant increase. Workers Comp income based on contracts.
 - Health Benefits – Insurance refunds totaled \$642,000 minus deductions; increase over last year.
 - Darrah Court Case – Final payment will be reimbursement of legal fees; separate from Contempt order.
 - Medical – Workers Comp reimbursements will be approximately 75% of total fund balance.
 - Norfolk Southern work is finished bringing contingency down to \$10,000.

- SCHENCK** Chairman Schenck noted concern with the increased costs of revenues, huge potential property tax increase, unfunded pension expenditure, the Walters property commitment, medical increases. He indicated that it would be imperative to hold the line on any Capital projects for at least five years.
- HOLMAN** Mr. Holman noted that the current debt will be retired in 2015.
- SCHENCK** Chairman Schenck agreed, however, the current revenue stream would not support Capital projects. The fund balance declines quickly and it will be appropriate to use some of the fund balance this year. The only revenue that can be controlled is Property Taxes. He stated that he was confident that the revenue will come in but that \$1.4 will be used from surplus. The board knew of the pension obligation; additional insurances, etc.
- BISHOP** Mr. Bishop noted that the opportunity to do something about this budget is now, and that was where the focus was needed.
- DVORYAK** Mr. Dvoryak agreed that the opportunity is to at least begin at this time and not make major changes.
- SCHENCK** Chairman Schenck indicated that it would be prudent to do some things.
- HOLMAN** Mr. Holman noted that he could make reductions at this time due to:
- YAUFRR and other projects are completed.
 - No major road improvements except for Market Street and Mt. Zion and the money is set aside for that.
 - Capital going out at \$50,000 will be replaced in 2012.
 - Strategic Planning would focus on how to replenish the Capital Surplus.
 - Money is currently in the Restricted Surplus toward fire projects.
- DVORYAK** Mr. Dvoryak stated that he realized that the final numbers for health insurance costs are not available. Every organization is dealing with the issue and will for years to come. He stated it would be helpful to have some analytics for review in the planning process longer term, such as what the costs have been, what they had been raised to, etc.
- HOLMAN** Mr. Holman reported that as contract negotiations begin, he first works with Benecon. He negotiates the contract, and determines what can be done. There will be a tax coming in on health benefits depending on what Congress does.
- BISHOP** Mr. Bishop noted that the board should focus on making reductions at this time.
- HOLMAN** Mr. Holman indicated that if the board recommended that he remove \$200,000 from the budget, one area that will be affected is the Capital. There are some areas in training that could be removed. The current budget supports what has been done previously. He stated that he would need to know how much reduction

the board wanted as 70% of the budget is salary and wages; 65% is union and contractual.

BISHOP Mr. Bishop indicated that there are probably ways do some of that which would be good for the manager to figure out how to take a chunk out of this budget that results in some immediate and long-term benefits.

SCHENCK Chairman Schenck noted that at the beginning of the budget process it was \$1.7 million, \$1.75 use of funds. It was reduced to \$1.5. If it could be reduced further to \$1.2 or \$1.250 that would show from start to finish a \$500,000 reduction. He indicated he would not want to pick and choose items.

BISHOP Mr. Bishop asked whether it would be reasonable for the board to ask the manager to provide what would happen at different points, such as removing \$200,000 and what would that mean; removing \$300,000 and what would that mean.

HOLMAN Mr. Holman responded that it would mean removing money out of the contingency; limiting flexibility to do other projects such as the due diligence done on the Walter's property, postponing some training, extend the life of some items, postpone the electronic filing system, no purchase of Springettsbury pens or coffee cups, eliminate some marketing, eliminate the electronic file storage, etc.

SCHENCK Chairman Schenck commented that he wanted to see tangible reductions in order to see how the budget performed next year during the budget process. He added that he would be ecstatic if Mr. Holman came back with the use of fund balance of \$1,250,000, a stretch goal. If he came back with \$1.3 he could probably support that goal.

HOLMAN Mr. Holman noted that he would have to do reductions in expenditures rather than going back into the revenues.

DVORYAK Mr. Dvoryak commented that he would like to see a menu in front of him indicating the possibilities. He wondered whether there were things that the board should consider changing, such as considering having the engineers in for ½ hour not have to sit through the entire board meeting.

HOLMAN Mr. Holman indicated he would provide that information. He noted that having the engineers present is important, especially during projects such as the sewer project at this time.

BISHOP Mr. Bishop noted that they might not have to be present at every single meeting. Their written reports are available, and unless there are questions it's a lot of sitting through meetings.

Consensus was for Mr. Holman to provide a list of reductions for consideration.

Consensus was to meet on Monday, December 6, 2010 at 7 a.m. for additional discussions.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:30 a.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
2011 PROPOSED BUDGET PRESENTATION**

**NOVEMBER 17, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Presentation Meeting on Wednesday, November 17, 2010 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6:30 p.m. He stated that the meeting had been advertised and that the purpose of the meeting was to make a public presentation of the proposed 2011 budget.

2. PRESENTATION

HOLMAN Mr. Holman stated that the presentation made this date is part of the process for review toward adoption on December 9, 2010. He reviewed the previous work done on the budget, which began in June, 2010.

Mr. Holman provided a PowerPoint summary of the budget, which included the following: General Fund: \$13,326,925; Other Funds: \$14,191,000; Sewer Funds: \$15,684,000 for All Funds Total of \$43,201,925.

Mr. Holman reviewed the details of each fund, all of which information was provided to the board in hard copy format. He stated that it was the intention of the board not to impose a tax increase for 2011. He reviewed the 2011 Goals and **asked whether there were any questions.**

DVORYAK Mr. Dvoryak asked for further information, including a copy of the Trust Agreement, with regard to the Library Fund. He also noted a concern with the rate of erosion in the surplus fund.

HOLMAN Mr. Holman responded that he would provide Mr. Dvoryak with the requested information.

LANDIS Ms. Landis indicated that she did not feel comfortable voting for advertisement due to the fact that she had no information as to the debt service figures.

HOLMAN Mr. Holman responded that he would provide that information as soon as it is received. The final vote on a budget will not occur until the December 9, 2010 meeting. The statutory deadline for budget adoption is December 31, 2010.

SCHENCK Chairman Schenck stated that the action to advertise would be addressed during the Regular meeting to begin at 7 p.m. this date.

3. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:10 p.m.

Respectfully submitted,

John Holman

Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**NOVEMBER 10, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Work Session Meeting on Wednesday, November 10, 2010 at 7 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jack Hadge, Financial Director
Lt. Dave Trott, Police Department
Lt. Scott Laird, Police Department
Betty Speicher, Director of Human Resources
Dori Bowders, Manager of Administrative Operations
David Wendel, Director of Parks & Recreation
Andy Hinkle, Manager Information Systems
Charlie Lauer, Director of Public Works
Bob McCoy, YAUFRR Chief
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated that the meeting was an advertised public meeting. He asked for public comment. Hearing none, he asked Mr. Holman to discuss the agenda.

Capital Budget

HOLMAN Mr. Holman stated that the meeting was to discuss the Capital Budget draft. He had provided documentation with regard to the discussion subjects, which included the following: Walters Property - \$750,000; HVAC Improvements for Police and Administration Buildings - \$10,450,000; Fire Building Project - \$2,800,000; Parks Improvements \$2,000,000 for a subtotal not including bonding costs of \$11,514,000; total estimated bond issue of \$12,000,000.

Mr. Holman stated some of the potential purchases, which included an electronic filing system for the administrative files - \$10,000 over a two-year period; Phone system upgrade with a Voice over IP – Cisco System at approximately \$78,000; a new Information Systems Server at \$5,000. Public Works budgeting included standard sidewalk/curb services under \$40,000; road maintenance contract services at \$20,000, Davies Drive \$5,000.

- DVORYAK** Mr. Dvoryak questioned what the annual cost for a bond issue would be with borrowing \$12 million.
- HADGE** Mr. Hadge responded that there had been a \$20 million plus borrowing over 20 years which averaged about 2.5% over those years.
- LANDIS** Ms. Landis asked how much money of the Local Services Tax had been set aside for the capital improvement plan budgeted last year.
- HOLMAN** Mr. Holman responded that he would use a small portion of the LST to offset some of the tax refunds. Money reserved from the Local Services Tax last year was used for the budget and reduced some anticipated revenue.
- SCHENCK** Chairman Schenck asked how much was expected from the Local Services Taxes.
- HADGE** Mr. Hadge responded that \$750,000 was expected during 2010, none of which was being used for the Capital Fund.
- SCHENCK** Chairman Schenck noted that when he voted for the Local Services Tax, the pension issue and other items needed to be funded.
- HOLMAN** Mr. Holman indicated that it would take approximately two years to recover from the Actuarial Study and pension funding. The funding will be lower in the future. There is one outstanding debt/bond issue which will be paid off in 2016.
- LANDIS** Ms. Landis stated that the adoption of the Local Services Tax replaced the Occupational Privilege Tax. She understood in the 2010 budget under Capital Expense that the money generated from the LST of approximately \$750,000 was to generate funding needed for the debt service and for planned improvements of park and fire facilities and future Capital needs. Her understanding was that none of those funds were set aside for its original purpose and went to the General Operating Expenses. She saw two major issues: 1) it is a revenue stream to continue funding the General Operating costs and 2) it was related to preparing for future Capital costs.
- HOLMAN** Mr. Holman responded that with the adoption of the Local Services Tax, the board was aware of the issue of the pension liability. Without the adoption of the LST, there could be no discussion of building improvements.
- SCHENCK** Chairman Schenck noted that the Local Services Tax generated \$750,000. The pension liability was \$500,000, which left approximately \$250,000 placed into a General Operating Fund. He asked how much money would be transferred out of the General Fund into Capital.
- HADGE** Mr. Hadge responded that \$250,000 was transferred out of the General Fund.

LANDIS Ms. Landis asked for the status of the Fund Balance.

HADGE Mr. Hadge responded that using the October 31st date, he estimated the use of \$900,000 of the surplus to fund the 2010 budget. Revenues had come in better than expected, and expenditures along with the imposed November 1st freeze had produced favorable results.

LANDIS Ms. Landis pointed out the necessity for trimming and cutting back especially for Capital long-range projects.

BISHOP Mr. Bishop added that the board's job is to operate the township in a prudent and fiscally-responsible manner.

DVORYAK Mr. Dvoryak noted that \$900,000 would be used during 2010. He asked for the amount of the total reserve.

HADGE Mr. Hadge responded that the amount is \$3 million.

Parks and Recreation

HOLMAN Mr. Holman reported plans for standard projects within the Parks and Recreation Department for a total of \$25,000. There is some longer-term Master Planning for a total of \$500,000. Documentation detailing the projects had been presented to the board for review.

Police Department

HOLMAN Mr. Holman reported that the Capital items requested for the department included an Alert Wireless System, Surveillance System Upgrade, Terminal Server, as well as Remington Model Shotguns and two vehicles for a total of \$84,275.

York Town Center – Specific Tax Returns

HOLMAN Mr. Holman noted he was working with High Real Estate to have specific tax returns filed for York Town Center. It is a site specific return, which is a Treasury Department requirement. That filing should generate approximately \$80,000. Mr. Holman hoped to have the matter resolved prior to year end.

Building Projects

LANDIS Ms. Landis asked whether any decision had been made with regard to building projects. She thought Mr. Holman had requested direction.

HOLMAN Mr. Holman noted that the question was whether or not to leave the items in the budget.

DVORYAK Mr. Dvoryak indicated that placing amounts into the Capital budget would not specifically endorse any particular projects.

- HOLMAN** Mr. Holman noted that it would be making the public aware of the potential planning.
- LANDIS** Ms. Landis asked whether there was any additional interest in combining the fire and police buildings.
- SCHENCK** Chairman Schenck responded that the question about location of the police station strategically is important. YAUFR spent a lot of time and money to determine that for the fire station there is a critical and strategic advantage to where it is physically located. Everything they looked at there says that this site is not appropriate for the fire station. He had not heard any argument that location of the police station was nearly as critical.
- BISHOP** Mr. Bishop stated that there had been a lot of work done as far as the location of the fire station. Adding the requirement of a police station at the same location would make the fire station location significantly more difficult.
- SCHENCK** Chairman Schenck added that part of the issue is the availability of local land.
- LANDIS** Ms. Landis asked whether there would be any redevelopment opportunities within the township with old buildings.
- SCHENCK** Chairman Schenck responded that several locations had been reviewed within a specific designated area. He noted that he agreed with carrying forward the building program; however, he was unclear as to how to fund the project. The board needed to review the overall impact on the budget but not to remove it from the budget.
- DVORYAK** Mr. Dvoryak noted that his only reluctance of including it, even though it would not be an obligation, is that it sends a message to staff and the community that there is an intention to do the project. He wanted to do a more in-depth review of the costs and the funding and he was not ready to make any commitment.
- BISHOP** Mr. Bishop indicated that he thought it should remain in the budget because it would keep the process moving forward. The board can stop it any time.
- HOLMAN** Mr. Holman noted that if any money were to be borrowed mid-year 2012, the earliest any payment would be required would be in 2013. He noted that engineering work had been built into the figures.
- BISHOP** Mr. Bishop commented that any money spent into 2011 would come to the board for approval.
- HOLMAN** Mr. Holman noted that if the board decided to move forward, then authorization would be required and a Resolution would be drafted to authorize preliminary expenses. At the time of borrowing, those funds will be reimbursed.

DVORYAK Mr. Dvoryak noted that it is estimated that \$900,000 would be used of the reserves up to \$2.1 million. He asked how much of the money would be used in the 2011 budget.

HOLMAN Mr. Holman responded that the amount would be about \$1.5 million.

LANDIS Ms. Landis asked what the surplus was at the end of 2009.

HADGE Mr. Hadge responded that it was approximately \$3 million. It started out approximately \$4 million but \$800,000 was used. In 2010 it is expected to use \$900,000 of the \$3 million and estimated using \$1.5 million in 2011.

DVORYAK Mr. Dvoryak commented that historically the figures had been better than what was forecasted.

HOLMAN Mr. Holman stated that the use of real estate transfer tax revenues had increased by approximately \$400,000. Decisions by the board in the past had been to return surplus to the residents by not increasing taxes going forward.

LANDIS Ms. Landis noted that the board should be very cautious due to the forecasts predicting a double-dip recession.

SCHENCK Chairman Schenck responded that along with that municipalities are experiencing growth in revenues.

HOLMAN Mr. Holman noted that based on the township's historical data, the revenues should come in and will continue to climb out of the recession.

SCHENCK Chairman Schenck added that at the height of the recession the township brought in more than forecasted. The revenues are still very conservative.

HOLMAN Mr. Holman noted that unanticipated costs had come in and about \$194,000 will have to be taken out to make up a drop in Workers Comp and the increase in medical. He noted that he will be reviewing those costs again as he wanted to be absolutely sure they were correct.

DVORYAK Mr. Dvoryak noted that the budgeted real estate tax figure was very conservative.

HOLMAN Mr. Holman added that the prior year collections had done very well.

HADGE Mr. Hadge noted that the real estate taxes had resulted in a 95% collection rate.

HOLMAN Mr. Holman stated that he anticipated real estate will be a growth revenue.

Parks and Recreation

HOLMAN Mr. Holman congratulated Mr. Wendel for the Saturday in the Park numbers.

SCHENCK Chairman Schenck stated that it appeared that there would be no significant changes or adjustments in the budget from last year.

WENDEL Mr. Wendel responded that he would not describe any of the changes as significant. He noted the following:

- Approximately a 3% total budget increase from last year's budget.
- Current level of services sustained.
- Increase in programming in areas of interest to residents;
- 6000 people registered for department programs; 40,000 people at community events.
- Sponsors were added; however, value allowed for a 66% recovery of costs for Sounds of Summer and 95% cost recovery with Saturday in the Park.
- Registration by credit card exceeded mail in registrations.
- Playground programs exceeded 1,000 goal.
- Slight increases in pay requested for Recreation Specialists and Park Leaders due to growth in the programs.

LANDIS Ms. Landis asked when any increase had been added for cost of the programs.

WENDEL Mr. Wendel responded that the fees are reviewed annually. Minor adjustments have been made when facility rental fees are added. However, he was cautious about raising registration fees that might put programs out of reach for participants.

HOLMAN Mr. Holman noted that he and Mr. Wendel had discussed the number of children in the playground and those who are non-resident.

WENDEL Mr. Wendel added that they had served 1016 children, and 130 were non-residents. He is in the process of conducting some research with neighboring municipalities with regard to their fees for non-resident participation, which resulted in the following:

- Spring Garden charges \$175.00 for non-residents.
- York Township charges \$30.00.
- West Manchester \$65.00.

LANDIS Ms. Landis asked whether they municipalities had seen any changes in participation when fees were added.

WENDEL Mr. Wendel responded that all the municipalities stated that there had been a decrease in participation and he was not certain how much of their costs they had recovered by charging a fee.

DVORYAK Mr. Dvoryak asked how Mr. Wendel would measure the effectiveness of the programs and community events as to whether or not to continue them.

- WENDEL** Mr. Wendel responded that a variety of measurement tools are used such as:
- Feedback from individuals who attend the concert series.
 - Size of the audience – at capacity at most every show.
 - Community-based services – periodic surveys are conducted through instructors, especially with senior programs.
 - Phone calls, emails; radio station message boards, township website.

Mr. Wendel concluded that he and Mr. Holman will continue to review the fees and will provide a report to the board. He commented that, with charging a fee, it implies a greater liability and greater level of supervision expected by the parent.

- SCHENCK** Chairman Schenck added a comment that, even though people may not participate in the programs or come to concerts are very proud of it and brag about it. It has a great reputation.

Budget Work Sessions

- HOLMAN** Mr. Holman noted that additional budget work sessions will be planned. He will have a draft budget ready for a required presentation on Thursday, November 17th.

2. ADJOURNMENT:

- SCHENCK** Chairman Schenck adjourned the meeting at 9:15 a.m.

Respectfully,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**NOVEMBER 3, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Work Session Meeting on Wednesday, November 3, 2010 at 5 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
George Dvoryak, Vice Chairman
Mike Bowman
Julie Landis

NOT IN

ATTENDANCE: Don Bishop

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jack Hadge, Financial Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Charlie Lauer, Director of Public Works
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated that the meeting was an advertised public meeting. He asked for public comment. Hearing none, he asked Mr. Holman to discuss the agenda.

HOLMAN **Sewer Fund Budget**
Mr. Holman noted that the subject is Sewer Fund Revenues and Expenditures, Sewer Capital and Inter-Municipal Reserves. He had provided written documents for the board's review.

HODGKINSON Mr. Hodgkinson provided a summary of the Sewer Fund 2011 Budget, compared with 2010. He noted a 29% increase from 2010 to 2011, due to the debt service and depreciation costs. Depreciation went up 100%, as well as the cost of utilities, for the Wastewater Treatment Plant. The remainder of expenditures were only slightly changed.

SCHENCK Chairman Schenck commented that rates had been adjusted over the last two years in anticipation of the increase.

HOLMAN Mr. Holman confirmed that from the debt service and surplus standpoint, the results are good. The rates were adjusted through year 2012 and into 2013. The five-year rate plan currently covers the debt, and the Inter-Municipal Users were made aware of the budget and costs.

Additional discussion included the following points:

- Borrowing payments do not occur until 2011 by the Users Group.
- Admin charges from the Sewer accounts of \$250,000 to the General Fund include work handled by the Board of Supervisors, Township Manager, Public Works Director, Human Resources, Finance personnel, MIS, Receptionist and Public Relations.
- Energy costs – Met Ed increase projected at 2% but expect additional electrical expense as BNR process is energy consumptive. Benchmark agreement should assist with savings. Fund includes leaf blowers, UV, new generator.
- Grants – Received H2O of \$1 million toward plant improvements. Application submitted for Meadowlands Pump Station.
- Gravity 15-inch sewer line - \$1.2 million estimated to move pump station from post office to behind Road House restaurant.
- Haines Road/Old East York sewer lines have most but not major defects to be repaired over five years. Homeowner will pay for initial installation costs; maintenance costs have been pre-paid. Rate reviews will begin in 2012.
- Chemical costs lower than budgeted but more to be purchased before year end.
- Complaints about smell – Outdoor process; odor comes from composting. Purchased control units and odor counter-acting units. Short of enclosing the entire plant in a contained building, nothing more can be done. Suggested newsletter item in the spring for resident awareness.
- Surplus - Assumptions include no accruing surplus at the end of each year. Expect to use \$1 million in surplus in 2011 to fund the budget.
- Investments showing \$6,275,000; good rates from 2009 and 2010.
- Debt Service – User Group decided to defer funding the debt; Springettsbury users paying their share of debt with increased rates since 2008.
- Treatment Division/Collection Salaries/Wages – up 15 to 20% in two-year period. (Further in-depth review will be done for additional explanation). Overtime was \$20,000 for 2009 and 2010. Union personnel (18) in Treatment Division; 8 non-union personnel. No additional personnel have been added; Lab Technician position open.
- Capital Improvements Schedule – Included in rehab and maintenance projects.
- Future budget figures might include side explanations for understanding.
- Use of fund balance to be used (\$1.1 million) in 2011 to pay down debt and depreciation. Additional surpluses could be added through cancellation of contract payables, funds remaining in the operation fund, revenues exceeding expectations, etc.
- Tap-In Fees – Estimated at \$60,000 for new construction.

- Inter-Fund Transfer from Sewer Fund to General Fund for Walters property; further discussion in Capital Budget.

Public Works Department and Other Funds

LAUER

Mr. Lauer stated that there were no major increases within the Public Works General Fund budget. Staffing level will remain the same and no increases will be made. One open position is expected to be filled. Overall 2010 requested budget is \$1.234; suggested at \$1.228.

SCHENCK

Chairman Schenck asked about the sign update project and whether the cost of that project was included in his budget proposal.

LAUER

Mr. Lauer responded that an increase would be necessary and could come out of the liquid fuels account.

Additional discussion included:

- Oil and gas cost factors – increased slightly; purchased by contract through York County.
- Roads and streets – work on schedule but will scale back if sign program moves forward.
- Sign program – not yet approved.
- Liquid fuels money - based on population and mileage within the township; allocation calculated by the state.
- Township plows Market Street, Memory Lane, Haines Road, which encompasses business district. All other roads are covered by PennDOT.

HOLMAN

Public Works Capital

Mr. Holman reported a proposed \$100,000 liquid fuels for work on the sign program. The program is required and other municipalities are under way with the program. PennDOT is following FHWA requirements. Mr. Lauer's plan is that the township would purchase the signs and the Public Works employees would provide installation. An outside contractor would be necessary to do overhead signs at signalized intersection as the township does not have the equipment for that portion of the project.

LAUER

Mr. Lauer indicated that every sign in the township including street signs, speed limit signs, warning signs, etc.; all have to be upgraded to high intensity. Street signs have to change from the four-inch letter to a six-inch letter with an eight-inch background and a high intensity print to be more reflective at night. The project will take approximately three years to complete.

SCHENCK

Chairman Schenck asked whether the money would come from the road program.

LAUER Mr. Lauer responded that \$100,000 came from the road program as it will be paid out of liquid fuels.

DVORYAK Mr. Dvoryak asked whether the current signs are evaluated as to whether or not they need replacement. He referred to signs for deaf child, children at play, neighborhood block watch, special needs parking, etc. Some residents in neighborhoods had changed over the years and the signs may not apply.

LAUER Mr. Lauer responded that all the signs had been reviewed and updated.

HOLMAN Mr. Holman added that all signs are reviewed during the traffic meeting. Neighborhoods are checked to see if there still is a valid reason for specific signs. As signs needed replacement over the past few years, the high intensity and larger signs have been installed. Mr. Holman noted that there is approximately \$8 million in the liquid fuels account. Next year another \$505,000 will be received. By the time the sign project is completed the fund will be drawn down to about \$600,000.

SCHENCK Chairman Schenck commented that the sign program would be newsletter worthy information. He noted that he thought the work should begin on the signs during 2011.

HOLMAN Mr. Holman commented that using the \$100,000 for the sign program will kick off the project. He asked whether the board would want to still budget \$400,000 and use an extra \$100,000 to keep the road program at its current level. He added that Mr. Lauer was doing a good job of stretching the township dollars for roads.

LANDIS Ms. Landis commented that liquid fuels money would be used up in a huge snow storm; however, there is some reimbursement.

HOLMAN Mr. Holman noted that 75% was reimbursed on one storm and it was necessary to calculate the money the township spent in a 48-hour period.

SCHENCK Chairman Schenck stated that the budget had been presented that indicated a cut back on the road program. He suggested holding for a year or two, as he thought the roads were where they needed to be.

DVORYAK Mr. Dvoryak added that he had no specific concerns about the roads.

Consensus was agreement that the roads are in good condition at this time.

LANDIS Ms. Landis asked whether the Public Works Department worked with other municipalities when there is a need to borrow equipment.

LAUER Mr. Lauer responded that they had worked with East Manchester, Spring Garden, York Township and York County Parks.

Petitioned Street Light Fund

General comments indicated that the fund had been adjusted/increased during the last budget talks and it had actually worked out well.

HOLMAN **Storm Water Fund**
Mr. Holman had provided information on the reserve fund for the MS4 and TMDL requirements as the solution for local municipalities and states dealing with storm water management. Mr. Holman recommended that during 2011 the board review setting up water districts to deal with additional costs that will be coming for storm water management. He noted additional points for consideration:

- Storm water treated before flowing into Codorus Creek through ultra-violet light.
- Building buffer areas with plantings and retainage basins.
- Quadrant the township or do a full storm water management program; skeleton plan; review funding through General Fund and/or increased taxation.
- Task Force for storm water management.
- Township currently pays for engineering inspections quarterly; Public Works cleaning inlets, mowing.
- GASB requirements reviewed with auditor for funds to be closed. Auditor recommended closing storm water reserve fund. Not recommended at this time. A justification would have to be made for not closing the fund at this time as within a year or two the fund will need to be reactivated. Funds are reserved for repairs of any structure breakdown.

LAUER **Waste Reduction Fund**
Mr. Lauer indicated this fund covers the leaf collection and street sweeping.

LANDIS Ms. Landis asked how much money is collected for leaf collection and street sweeping in a resident's garbage invoice.

HADGE Mr. Hadge responded that it amounted to \$3.64 a quarter.

HOLMAN Mr. Holman indicated that he had presented the GASB 54 requirements in his discussion paper. One fund that will have to be dismantled is the fire fighter fund, which currently has about \$202,000 in it. Mr. Holman recommended that those funds be cancelled back to the township's Capital account and the funds be restricted by resolution by the board for work on a new fire building. Alternatively, the funds could be assigned which

would mean that the staff could assign the money, which could be moved or changed. A restriction would be listed for a fire building, assuming that project moves forward.

DVORYAK Mr. Dvoryak asked how the funds would be handled if earmarked for a fire building and YAUFRR pays for the building.

HOLMAN Mr. Holman responded that the funds would be earmarked as restricted surplus. It would be clearly identified by a resolution number attached and could not be touched for anything else. If the fire building does not come to fruition, then another resolution would be adopted by the board.

Consensus of the board was to restrict the fire funds by resolution.

HOLMAN Mr. Holman stated that he would have a resolution prepared for adoption during the November 17th board meeting to transfer the balance of said funds.

2. ADJOURNMENT

HOLMAN Mr. Holman stated that the next budget meeting will be held on November 10, 2010 at 7 a.m.

SCHENCK Chairman Schenck adjourned the meeting at 7:05 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**OCTOBER 13, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Budget Work Session on Wednesday, October 13, 2010 at 7 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Dori Bowders, Manager of Administrative Operations
Jack Hadge, Financial Director
Dave Eshbach, Police Chief
Lt. Dave Trott, Police Department
Bob McCoy, YAUFRR Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated that the Work Session was an advertised public meeting and invited public comments. Hearing none, he asked Mr. Holman to proceed through the agenda.

HOLMAN Mr. Holman stated that he had provided the board with some budgetary documentation for Chief Eshbach and the Police Department.

SCHENCK Chairman Schenck stated that the board was interested in hearing an overview of where the police department is today and where he, as Chief, would like to go with the department.

ESHBACH Chief Eshbach stated that the mission of the Police Department each year is to provide the best possible police service, with the most efficient and effective department in order to protect the people who live and travel throughout the township. He cited several new projects that had been implemented by the department in 2010:

- Citizens Police Academy presented by Patrolman Christopher Ford – Very successful.
- York County Police Explorer's Program – Ages 15 to 20 – Success measured by evaluations.

Chief Eshbach noted that they are reviewing the possibility of implementing a volunteer police service program. He indicated that the department had responded to over 14,000 calls over the past year. Crime statistics were lower. He provided an explanation for

their revenues, which he indicated are generated by Crimes Code and traffic violations, fines, alarm registrations, police and accident reports.

Chief Eshbach presented a lengthy discussion concerning the possibility of moving from an 8-hour shift to a 12-hour shift, all of which would necessarily have to be approved by the Collective Bargaining Unit, as well as the Township Manager. Graphs and reports are available for study of a revised work schedule.

Chief Eshbach indicated that there is a need for additional manpower/police officers. Discussion took place indicating that new officers had been hired in 2006 and 2007 with the Cops in Schools and Cops Universal programs for a total complement of 32.

Chief Eshbach elaborated on the use of police vehicles, the maintenance and retrofitting of older and new vehicles and the canine unit. Fleet Management is handled by a Lieutenant within the department.

Chief Eshbach discussed the matter of condition of the police building and noted that their department is not hampered by it.

SCHENCK Chairman Schenck noted that there is one tax revenue that the board can control in the township, which is Property Tax, from which current revenue is \$1.7 million. There are things facing the board, such as the pension funding, preserving open land and the need for capital improvements. He commented that there is only one amount of money from which to draw and balance.

HOLMAN Mr. Holman indicated that a method for balance would be to ask whether residents feel safe in the community; whether the residents have a comfort level with the current police service delivery. The township is in a very good position to fully fund the pensions at this time; however, there is no room for discretionary funding aside from a potential tax increase. He added that there wasn't one department within the township that did not have a need for additional personnel. It was not likely that any additions would be made given the current economy.

SCHENCK Chairman Schenck concluded the meeting by stating that Springettsbury's Police Department is the envy of many in York County. Chief Eshbach still maintains his accreditation. Their performance is excellent, and they do a fabulous job. He added that they are making it work with the resources given to them, for which the board and administration is grateful.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:05 a.m.

Respectfully submitted,

John Holman
Secretary

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**OCTOBER 13, 2010
APPROVED**

ja

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**OCTOBER 6, 2010
DRAFT**

The Board of Supervisors of Springettsbury Township held a Budget Work Session Meeting on Wednesday, October 6, 2010 at 7 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Financial Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Bob McCoy, YAUFRR Chief
Sandy Ratcliffe, YAUFRR Finance Officer, Assistant Treasurer
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 a.m. He stated that the meeting was an advertised public meeting. He asked if there were any comments from the citizens. Hearing none, he moved into the agenda.

HOLMAN Mr. Holman stated that the meeting this date was the first of a series of work sessions to discuss the 2011 budget. He brought forward a discussion of whether or not there would be revisions in the timing of future work sessions. He noted that the next session, as advertised, was scheduled for October 13th at 7 a.m. and followed by November 3rd at 7 a.m.

Discussion by the members of the board covered various business commitment conflicts with difficulties of finding a mutually satisfactory set of dates and times and, due to the fact that the work sessions had been previously advertised along with the cost to re-advertise, consensus of the board was to make no changes in the proposed meeting dates.

DVORYAK Mr. Dvoryak commented that he would like to see a more simplified budgeting process in order to make it more meaningful, such as providing the assumptions, activities and objectives for the township.

HOLMAN Mr. Holman explained the process by which the budget was prepared. He noted that the Manager's recommended revenue is \$13,131,915 versus the department head's budget requests of \$13,533,625, which revealed some reductions in administration budgets and other adjustments. Based on the economy there will be no additional personnel hired. The action to have York Adams Tax Bureau handle the Mercantile and Business Taxes has shown improvement in tax receipts, as well as the real estate taxes and insurance premium refunds. He noted the importance of relieving reliance on the surplus. A discussion on Capital items showed \$300,000; however, he intended to present additional documentation. A debt service payment of \$260,000 is planned. Use of fund balance was \$1.5 million, with a budget of \$13.1 million, with much emphasis on the police pension impact. Mr. Holman noted that he expected the IIC rate maximum increase will be 5.5% with some savings as well and the Teamsters Health and Welfare to be up 7.85%. The Sewer Fund budget will be increased as well.

DVORYAK Mr. Dvoryak commented that he wanted to review a historical comparison of actual numbers for 2009 versus 2011 budget. He indicated that looked like a 9% increase over a two-year period.

HOLMAN Mr. Holman indicated he would provide a detailed spreadsheet.

SCHENCK Chairman Schenck noted that 2009 actuals were \$12.5 and the budget on the table recommended by Mr. Holman is \$13.1 with \$13.6 requested by the department heads. He noted that there will be a \$250,000 pension impact.

LANDIS Ms. Landis commented on the philosophy used in preparing the 2011 budget. She questioned some of the department head requests versus what the Manager had projected. She hoped that the budget would be prepared based on expected revenues.

HOLMAN Mr. Holman responded that he could provide additional information as far as revenues were concerned. He noted that a number of the revenues are received at the end of the year.

DVORYAK Mr. Dvoryak asked whether revenues are based on an accrual basis or a cash basis.

HOLMAN Mr. Holman responded that the revenues are based on a modified cash and modified accrual basis. He noted that he attempts to keep at least two months of operating expenses in an account on an annual basis.

Additional discussion took place covering the following:

- Real estate taxes, appeals, revised assessments, liens.
- Inter-governmental revenue; Cops in Schools agreements; grants
- Strategic planning to drive the budget; 2011 priorities (buildings, renovations, recreation, road maintenance, Walters project, MS4 requirements, etc).

- Overall board strategy; tax increase or not; a targeted goal.
- Projecting minimum spending before tax increase.
- Small tax increases periodically easier than large increase.

Consensus was to move forward with strategic direction to not approach the operating budget with a tax increase as an option.

Consensus was to retain a practical fund balance of two months of operating expenses.

BISHOP Mr. Bishop commented that his view of strategic planning also would review any capital expenditures, which would ultimately decrease the operating expenses long term and provide efficiencies. The present economy is a historical opportunity to make capital expenditures that will cost less with competitive construction costs, etc. Mr. Bishop suggested that the board carefully evaluate any capital opportunities.

SCHENCK Chairman Schenck noted that the discussion of capital would be another issue.

York Area United Fire and Rescue/EMS

MCCOY Chief McCoy stated that the overall YAUFRR budget for 2011 is \$4,564,700 leaving \$138,000 in unfunded liability. The township portion of that will be \$2,359,442. He noted that 2011 will be the first year that YAUFRR had no grants. The only item in the capital portion is \$7,000 for hose, which will be paid by the YAUFRR Commission.

Chief McCoy mentioned the notation concerning the new fire station headquarters, which was documented in order to begin discussion for a future plan. He anticipated beginning the Five Year Strategic Plan after the first of the year. An aggressive plan will be put into place for volunteer recruitment and the relief effort. It is anticipated that six individuals may retire at a cost of approximately \$3,400 each. He elaborated on the costs of recruitment, training, cash out for sick leave, etc. In addition, with the potential agreement with Manchester, that will bring in additional revenue, which will offset the municipal contribution. He noted the overtime as of September 27th at \$180,271, which is under the budgeted amount of \$240,000.

HOLMAN Mr. Holman noted that the YAUFRR fund balance showed \$179,000. He recommended they should maintain at least \$100,000 for ready expenses.

DVORYAK Mr. Dvoryak asked whether an answer had been provided as to the actual 2009 dollars versus the 2011 budget. He wondered whether the \$3.6 was the correct number as it seemed there was a huge increase to \$4 million.

HOLMAN Mr. Holman responded that the original YAUFRR budget was \$4,317,000. He had researched the question and investigated the municipality shares. He determined that nothing was over extended.

Additional discussion covered a review of 2009 actual dollars (\$3.6) versus 2011 budget projections (\$4.3), grant funding, unfunded liabilities and contractual services.

MCCOY Chief McCoy reported that an overall EMS budget of \$552,500 covered personnel but no leave or benefits. The 2010 budget was \$549,500 showing an increase for 2011.

Additional discussion covered the EMS units, maintenance costs, contract services, ambulance club; number of calls at 3,300. Revenues remain at \$475, which Chief McCoy recommended to bump up to \$525 or \$550, flat fee.

MCCOY Chief McCoy stated that a state legislative bill will enact the need to contract a Medical Director under which the EMT's will operate. A vote is expected during the summer of 2011 and may cost between \$10,000 and \$20,000. Chief McCoy had placed that amount in the Capital plan in order to be prepared for the future. He noted that 2011 will be a contractual year and may be an appropriate time to review moving the EMS over to YAUFRR.

HOLMAN Mr. Holman noted that Chief McCoy indicated that in November or December a Resolution will come forward authorizing cancellation of uncollectable debt retroactively to the year 1999.

MCCOY Chief McCoy noted that a review was made of the number of calls in the township and the write-offs where Medicare only paid approximately \$125 per call and the township billed \$475. The gap is the patient's responsibility unless they are a member of the ambulance club.

Consensus was to receive follow up action of what the impact would be if the rates were raised.

SCHENCK Chairman Schenck noted that Mr. Dvoryak needed the response to his question concerning 2009 actuals versus 2011 budget.

SCHENCK Chairman Schenck noted that the next budget session was scheduled for Wednesday, October 13, 2010 at 7 a.m. He asked which departments would be covered.

HOLMAN Mr. Holman indicated that the review for the next budget meeting would include the Police Department with Chief Eshbach and the Public Works Department with Charlie Lauer. Following that he hoped to review the Sewer budget.

LANDIS Ms. Landis requested a breakdown of salary information for Administration employees, percentage increases and the philosophy behind the process.

**SPRINGETTSBURY TOWNSHIP
BUDGET WORK SESSION**

**OCTOBER 6, 2010
DRAFT**

HOLMAN Mr. Holman responded that information would be discussed in an Executive Session. He agreed to provide the historical information as to the procedure and the percentages.

SCHENCK Chairman Schenck adjourned the meeting at 9:05 a.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**NOVEMBER 17, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Wednesday, November 17, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 7:10 p.m. following presentation of the Proposed 2011 Budget

A. Opening Ceremony

SCHENCK Chairman Schenck led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. October 28, 2010 – 8:00 p.m.

1) Personnel

SCHENCK Chairman Schenck announced that an Executive Session had been held on October 28th following the Regular meeting where we discussed personnel. No Executive Session was planned following the meeting this date.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road, asked that the board consider a one-time spring leaf pick up during the month of March.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill noted that he had provided a written report. He stated that the Meadowlands Pump Station Part II Permit had been submitted and a Letter of Administrative Completeness from DEP had been received and will be reviewed, which is the first step in the Part II Permit process.

LANDIS Ms. Landis asked about the projected timeframe.

CRABILL Mr. Crabill responded that Conewago Enterprises indicated that would be provided within a few days.

DVORYAK Mr. Dvoryak asked whether the delay in the schedule would be costly to the township.

CRABILL Mr. Crabill responded that two of the contractors are 20 days out on their contract and the General Contractor is five days out. They have received extensions. It is costing the township some amount of money having the inspections continue longer. There has been no request for extra money due to the schedule.

LANDIS Ms. Landis noted that a date should be put into place where the township expects something in writing.

CRABILL Mr. Crabill responded that the contractor had been so advised.

SCHENCK Chairman Schenck asked whether there were liquidated damages in this kind of situation.

CRABILL Mr. Crabill responded that liquidated damages can be assessed by the township at \$1,500 a day. Typically it is necessary to determine who caused the delay in all three contracts, and there could be some legal issues involved. The township has the option.

B. Civil Engineer – First Capital Engineering, Inc.

Kingston Road

LUCIANI Mr. Luciani had provided a written report, and he noted three updates. He provided photographs of the Kingston Road project, which had been completed.

BISHOP Mr. Bishop noted that he thought the work was fine for its intended purpose. He brought up the delineated parking on one side in front of St. Joe's Church. However, on the opposite side there is a three to four-foot wide lane, which Mr. Bishop thought provided some confusion as to whether or not to park there.

LUCIANI Mr. Luciani responded that had been contemplated. He noted that the lines were inexpensive and would encourage people to park on the one side. However, the other side will continue to be evaluated as it involved transitional lanes to Edgewood

Road and Eastern Boulevard. They will collect data on speeds and make additional corrections.

BISHOP Mr. Bishop suggested that, in the area where it is illegal to park, there should be signage stating that fact.

LUCIANI Mr. Luciani responded that he would provide signage.

BISHOP Mr. Bishop noted that when the motorist gets closer to Eastern Boulevard, there is a long stretch where there are double yellow lines on either side. He noted he was unsure of that direction for the motorist. It does not seem to be designed as a turning lane.

LUCIANI Mr. Luciani responded that the transition goes up to Eastern Boulevard and into a turning lane.

BISHOP Mr. Bishop indicated that going past Kingston Center, there are areas where it is not set up to be a turning lane.

LUCIANI Mr. Luciani responded that there is higher volume entrances involved, and it was a question of how much traffic goes in and out. There is a striped turn lane closer to the intersection.

BISHOP Mr. Bishop stated that it worked well at Eastern Boulevard.

LUCIANI Mr. Luciani added that there are areas that go into the residential neighborhood that have offset driveways that do not line up perfectly. In those areas it was difficult to drop in a perfect turning lane. He indicated he would review it and clarify it.

SCHENCK Chairman Schenck commented for clarification that the way it's painted technically is not a travel lane or a turn lane.

LUCIANI Mr. Luciani stated that there could be a median in that location. However, a center turn left lane would be desired, but the driveways are offset and because of that there are overlapping left turn movements which created a challenge. He added that additional clarification will come over time.

North Hills Road

LUCIANI Mr. Luciani reported that some temporary repairs will be made at North Hills Road within the next week.

HOLMAN Mr. Holman indicated that the repair had been completed this date on North Hills Road by PennDOT and Norfolk Southern.

LUCIANI Mr. Luciani noted that the township paid for the crossing material some time ago, which was identical material to that installed on Memory Lane. There has never been a problem with that crossing. Mr. Holman had referred to a bathtub crossing,

which is very expensive but more superior. The repair on North Hills Road was a short-term fix. The longer-term repair will be done because it becomes a hazard.

BISHOP Mr. Bishop reiterated that the PennDOT solution to the traffic light at Rutters and North Hills Road is absolutely and totally unacceptable. Southbound traffic turning left is impossible to understand and dangerous.

SCHENCK Chairman Schenck added that the light can't be seen until the motorist makes a commitment.

LUCIANI Mr. Luciani responded that he would contact PennDOT. He thought it had been resolved.

SCHENCK Chairman Schenck suggested having the PennDOT representative stop at the stop bar and seeing the problem.

BOWMAN Mr. Bowman added one problem is if the motorist stops there and there's a tractor-trailer coming out of Rutters wanting to go north on North Hills Road, the motorist is in the way. The tractor-trailer can't make the turn. If the motorist then decides to go it's usually through a red light.

LUCIANI Mr. Luciani indicated he appreciated the feedback and will follow up with PennDOT.

Rail Trail

LUCIANI Mr. Luciani reported on the progress with the Rail Trail project. The actual trail operation along the river has been stopped, and they are not going through the neighborhood. That avoids the safety concerns about sending pedestrians and bikers down Sheridan Road. He reiterated his concern about left turns into their Loucks Road parking lot, which is directly across from the township's pump station. Coming across the bridge, if a car is sitting there waiting to turn left, there is no escape route. Trucks in that area are speeding so the Rail Trail agreed to restrict left turns in, which also eliminates that safety concern. The plan will be reviewed during the next Planning Commission meeting. The trail will not be 100% finished and will terminate going from Rudy Park down to Crist's field, go across the bridge and stop there. There will be a missing segment there which they will continue to work through with the adjoiners.

LANDIS Ms. Landis questioned the utility relocation with regard to the Patients First project, which required a 12-foot deep hole.

LUCIANI Mr. Luciani responded that the township does not permit laterals to connect into manholes, which is what the contractor wanted to do. The sewer is 12 feet deep, and when the sewer is tied in, it is tied in with a Y connection into the main. The new DEP codes require any commercial business to have a six inch lateral. Every home in the township primarily has a four-inch lateral. If the developer insists on a six inch line it will be a big cut in Market Street.

LANDIS Ms. Landis asked when it would be scheduled and what the date of resolution would be.

LUCIANI Mr. Luciani responded that it would happen prior to their obtaining their Occupancy Permit. It will probably take another four months. He noted an agenda item for re-approval of the condition statement.

SCHENCK Chairman Schenck asked who would make that final call on the size of that lateral.

LUCIANI Mr. Luciani responded that it will be handled at the staff level.

5. CONSENT AGENDA

- A. Acknowledge Receipt of October 31, 2010 Treasurer's Report
- B. Acknowledge Receipt of York Area United Fire & Rescue Commission Special Budget Meeting Minutes – September 21, 2010
- C. Acknowledge Receipt of York Area United Fire & Rescue Commission Meeting Minutes – September 21, 2010.
- D. Board of Supervisors Budget Work Session Minutes – October 6, 2010.
- E. Board of Supervisors Regular Meeting – October 28, 2010.
- F. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 16 in an amount not to exceed \$7,687.05.
- G. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 18 in an amount not to exceed \$294,927.75.
- H. LD-10-02 – Re-approval – Patient First (Final Plan)
- I. Regular Payables as Detailed in the Payable Listing of November 17, 2010.

MS. LANDIS MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH I. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

There were no communications from Supervisors.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report. He reported that a Hearing will be held on November 18, 2010 with regard the township's second petition for continued violations by Mr. Darrah.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that they had been working toward completing the Comcast Cable Agreement. He had reviewed the agreement with Solicitor Rausch. One recommendation from the group was to proceed with the 10-year term and not extend it to a 15 or 20-year term. Mr. Holman recommended the 10-year program.

SCHENCK Chairman Schenck asked what the savings would be by extending the term five more years.

HOLMAN Mr. Holman responded it would amount to about \$2,000 more. He added that the township receives a large portion because there are over 7,000 subscribers.

Consensus of the board was to move forward with a 10-year term.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-54 – Authorizing the Transfer of Funds from the Fire Fund to the Capital Fund.

SCHENCK Chairman Schenck indicated that the resolution had been discussed previously and related to the accounting standards required for the township. The funds previously set aside for the Fire Fund will not be used for its original purpose.

HOLMAN Mr. Holman noted that, under the GASBE 53 terminology, the funds were committed to the Capital fund for fire and cannot be used for anything else.

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-54. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that Mr. Holman had requested a copy of the actual consultant's contract.

HOLMAN Mr. Holman responded that he had received the proposal, but to date he had not received a signed contract.

BISHOP Mr. Bishop noted that he doubted there was a signed contract.

SCHENCK Chairman Schenck asked whether that meant they are doing the work.

BISHOP Mr. Bishop responded that the plan was to start as soon as possible, but it was then decided to move it back because they realized that talking to municipalities during budget season was probably counter-productive.

LANDIS Ms. Landis asked whether there had been any comment from the Chief regarding the Task Force.

HOLMAN Mr. Holman responded not at this point but that he had been part of the original committee with Chairman Schenck. Mr. Holman thought that all the participants should receive a copy of the signed contracts and insurances.

13. NEW BUSINESS

A. Authorization to Advertise 2011 Proposed Budget

MR. BISHOP MOVED FOR THE AUTHORIZATION TO ADVERTISE THE PROPOSED 2011 BUDGET. MR. BOWMAN WAS SECOND.

LANDIS Ms. Landis noted that she did not believe the board had all the components and that it would be difficult for her to move forward with advertisement when the debt service figures are not available. She cited a portion of the Second Class Township Code with regard to proceeds from borrowing. She indicated she was not comfortable with advertisement.

BISHOP Mr. Bishop responded that it was more prudent to notify the public of all the planning under consideration.

MOTION CARRIED 4/1. MR. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR. MS. LANDIS VOTED AGAINST.

B. Set the Time for Board of Supervisors Reorganization Meeting to be held on January 4, 2011.

Consensus was to set the time for the Board of Supervisors Reorganization Meeting for January 4, 2011 at 5 pm.

C. Acknowledge Receipt of Letter of Resignation from Park and Recreation Board Member – Veronica Sinclair-Anderson.

SCHENCK Chairman Schenck brought forward a letter of resignation from Veronica Sinclair-Anderson. The board acknowledged receipt of her letter. She had served on the Park and Recreation Board and due to some work conflicts can no longer serve.

She had reluctantly resigned. Chairman Schenck asked that she be thanked for her service.

D. Discussion: Benchmark Energy Solutions, Inc.

HOLMAN Mr. Holman reported that Benchmark Energy Solutions is no longer associated with the Harrisburg organization. He had received a request from Benchmark, as well as a number of the municipalities involved, to be the lead agency for Benchmark in dealing with the utilities. He requested the board's approval to move ahead as the lead agency. He added that he would meet with Solicitor Rausch to prepare the necessary ordinance and documentation.

RAUSCH Solicitor Rausch stated that coordination will take place with the existing Inter-Governmental Agreement with the City of Harrisburg. That agreement will be terminated. Solicitor Rausch will review all issues involved and assure the township of any and all legal ramifications.

Consensus was to move forward as lead agency and provide the necessary documentation.

E. Parks and Recreation Board Vacancy

MS. LANDIS MOVED TO ACCEPT THE NOMINATION FOR MR. JOHN KERCHNER TO SERVE ON THE PARKS AND RECREATION BOARD. MR. BISHOP WAS SECOND.

SCHENCK Chairman Schenck brought forward some concern with regard to John Kerchner's associated health club business interests.

HOLMAN Mr. Holman noted that it would raise a Conflict of Interest if the township were doing work with his company. In that case, Mr. Kerchner would have to recuse himself from any vote or consideration.

MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop indicated that the board needed to create a policy for appointments to township boards and commissions. The policy would include requirements and any training involved.

SCHENCK Chairman Schenck added that a policy also should include any potential or implied Conflict of Interest.

HOLMAN Mr. Holman stated that he would create a general policy for the board to consider.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8 p.m.

Respectfully submitted,

John Holman

Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 28, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 28, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
George Dvoryak, Vice Chairman
Don Bishop
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck welcomed the attendees and led the Pledge of Allegiance. He noted that Mr. Bowman would not be present due to some personal business commitments.

SCHENCK Chairman Schenck welcomed a Boy Scout from Troop 20 working on his Citizenship in the Community badge.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. October 14, 2010 – 8:45 p.m.

- 1) Personnel re: Salaries
- 2) Litigation re: Tax Collector
- 3) Litigation re: Letter of Credit

SCHENCK Chairman Schenck announced that several Executive Sessions had been held on October 14th at 8:45 p.m. as listed above. In addition, a supervisor

had requested a brief Executive Session following the meeting this date to discuss personnel matters relating to pay scales for certain individuals.

3. COMMUNICATION FROM CITIZENS

SANDMEYER Robert Sandmeyer, 2625 Kingston Road brought forward several issues with regard to Kingston Road. He requested a timeframe on the line painting.

HOLMAN Mr. Holman responded that the plan included finishing all road work, at which time the line painter had been scheduled to come back and finish the painting.

SANDMEYER Mr. Sandmeyer commented on the speeding issues on Kingston, in particular the buses that he had observed traveling over the speed limit. He had made some personal contacts with the Durham company, and his recent observation was that the buses had slowed to the 25 mile an hour speed.

LANDIS Ms. Landis asked about the status of the speed bump policy.

HOLMAN Mr. Holman responded that they have all the rules and regulations to be included and the language is nearly completed.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill provided the board with photographs of the new access roads, etc. He noted that he had submitted his monthly report and had one update. He reported that a letter for planning approval had been received with regard to the #3 Meadowlands Pump Station, and they will be sending out the Part II Permit to get that process moving forward.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated he had two brief updates to his monthly report. He stated that an issue with the bonding for the Wallingford Development, an extension of Eastern Boulevard, had come forward. Many of the streets, the preparation of the wearing surface, had not been completed. Attorney Rausch worked with the bank to re-secure that bonding.

Mr. Luciani reported on the progress of the Rail Trail project. A re-submission had been received, which cut off the access to Sheridan Road until they can resolve the rest of the path. That will assist the township

with the safety concerns expressed by the police department and staff.
The trail is incomplete until the safety issues can be addressed.

HOLMAN Mr. Holman stated that the Rail Trail developers had requested a meeting with the three homeowners and township officials to discuss the issues. Mr. Holman planned to attend that meeting, which he anticipated would be held in the farm house.

LUCIANI Mr. Luciani added that the plan was to create a significant barricade along the river so that bikers would not be able to circle around and continue the trail. He noted that the zoning ordinance includes a public safety provision. One of the disagreements was that there was no pedestrian signal to cross Mundis Mill Road. If the safety concerns can be worked through they can continue with their funding.

5. CONSENT AGENDA

- A. Acknowledge Receipt of September 30, 2010 Treasurer's Report.
- B. Board of Supervisors Regular Meeting Minutes – October 14, 2010.
- C. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 16 in an amount not to exceed \$668,877.17
- D. LD-08-12 – Time Extension – Yale Electric – Plan Expires 11/25/10 (New Plan Date 2/25/11).
- E. LD-10-03 – Time Extension – LCBC – Plan Expires 12/4/10 (New Plan Date 3/4/1).
- F. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 12/31/10 (New Plan Date 1/31/11).
- G. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 11/26/10 (New Plan Date 2/26/11).
- H. SD-08-03 – Time Extension – Pam Long – Plan Expires 11/25/10 (New Plan Date 2/25/11).
- I. SD-09-03 – Time Extension – Carter – Plan Expires 12/18/10 (New Plan Date 3/18/11).
- J. SD-09-02 – Reapproval – Harvey SD (Final Plan).
- K. Regular Payables as Detailed in the Payable Listing of October 28, 2010.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH K. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were no items for action.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked for a report on the cost savings from Benchmark.

HOLMAN Mr. Holman responded that for the first quarter review, compared with the previous year, there was a 15% savings on natural gas.

SCHENCK Chairman Schenck recalled that documentation was to have been provided through that contract. He asked Mr. Holman to forward that information to Ms. Landis.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing to add to his written report.

SCHENCK Chairman Schenck noted that with both reports from Mr. Holman and Mr. Luciani, item 11C had been resolved with no further action to be taken by the board.

11. ORDINANCES AND RESOLUTIONS

A. Ordinance 2010-08 – Amending Chapter 265 “Sewers and Sewage Disposal” of the Springettsbury Township Code of Ordinances to Update the Current Ordinance.

SCHENCK Chairman Schenck noted that item A had been advertised but had been held due to some questions. He asked Mr. Dvoryak whether his questions had been satisfactorily answered.

DVORYAK Mr. Dvoryak responded that he had asked Mr. Holman to review his questions and that Mr. Hodgkinson was to address those issues during the meeting this date. He noted that it related to the language concerning the responsibility for sewer laterals. He questioned what the difference was between a public and a private lateral and noted that he did not see it defined in the ordinance.

A lengthy discussion took place concerning the confusion of the definition of responsibility for public and private laterals. A summary of that discussion follows:

- Private lateral is from the building itself to the curb line. At the curb line it becomes a public lateral. There are instances where there is no curb line and no transition joint.

- Damage caused by the township or road work; the township would be responsible for repairs.
- Township would replace laterals with defective installation.
- A defective installation by a developer would be the property owner's responsibility.
- Gas and water lines to the meter are their responsibility. After the meter and inside the building are the property owner's responsibility.
- Sewer has always been the responsibility of the property owner to the right-of-way line.
- Language needed to be strengthened concerning the line of demarcation of responsibility.

DVORYAK Mr. Dvoryak stated that he was not comfortable enough with the language in the ordinance.

SCHENCK Chairman Schenck agreed that the definition of the point of liability was not clarified.

HOLMAN Mr. Holman suggested that the language, as it currently existed, could remain and adopt the rest of the ordinance as it had been advertised.

RAUSCH Solicitor Rausch stated that it would be acceptable to adopt the ordinance that had been advertised less section 2, which meant that the old section would still apply until it is clarified.

MR. DVORYAK MOVED TO APPROVE ORDINANCE 2010-08 REMOVING SECTION 265-2. SECTION 2 RELATING TO PUBLIC AND PRIVATE LATERALS OF THE OLD ORDINANCE REMAINS IN FORCE. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-52 – Authorizing Execution of PennDOT Condition Statement for Improvements to East Market Street (Rite Aid).

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2010-52. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-53 - Authorizing the Presentation for Payment to M&T Bank Irrevocable Standby Letter of Credit No. SB-908454-0001 for Rockview LLC

This item was acted upon earlier during the agenda.

12. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that both he and Mr. Holman had attended the most recent meeting.

HOLMAN Mr. Holman stated that the actual presentation was about 15 minutes.

BISHOP Mr. Bishop indicated that the main point of the meeting related to the PERF representative presenting their qualifications. Mr. Bishop noted that he had attended every meeting of the Task Force and had never seen a Request for Proposal to do the study; nor had he seen a proposal or the contract that had been awarded. The attendees were advised to provide information when asked and to learn the results at some point in March, 2011. He noted that the cost of the study was estimated at \$75,000, funds which had been raised by YorkCounts.

HOLMAN Mr. Holman stated that they will interview some township staff and board members but none were designated. Mr. Holman expressed his disappointment in that the presentation was very short. He thought there would be more of a PowerPoint, an explanation of how it would be done, and some timeframes. They seemed concerned that they were going to visit the municipalities during budget time.

LANDIS Ms. Landis asked Mr. Bishop if he could provide a brief history of the YorkCounts Public Safety Task Force. She thought it would be important for the Boy Scout and residents.

BISHOP Mr. Bishop stated that YorkCounts is an organization that is dedicated to the idea that the private sector can do things to make the community better. Some time ago they identified 18 points or 24 things that they thought ought to be improved. One of the big things they had accomplished was to start a charter school. An additional item was that people should feel safe in their communities. From that they decided that they would put together a Task Force to try to get the major core municipalities around the city to merge their police departments. Their theory is that a merged police department will improve public safety. The Task Force was created in an attempt to try to get some of those municipalities which is the city, West York, Spring Garden and Springettsbury to merge their police departments.

SCHENCK Chairman Schenck reported that he had received a letter from Wellspan Health thanking the township police officers and the Emergency Medical Services personnel for a response to their facility at the Meadowlands.

13. NEW BUSINESS

BISHOP Mr. Bishop asked whether the board was in favor of appointing Turk Pierce to the Historic Preservation Board.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 28, 2010
APPROVED**

SCHENCK Chairman Schenck responded that he had enjoyed his interview with Mr. Pierce and thought he would make a wonderful addition to the Historic Preservation Board.

BISHOP Mr. Bishop asked for a Resolution and number.

HOLMAN Mr. Holman responded that the action could be done by motion, and they will place him on a Resolution during the reorganization meeting in order to track the appointment.

MR. BISHOP MOVED TO APPOINT TURK PIERCE TO THE HISTORIC PRESERVATION BOARD. MOTION UNANIMOUSLY CARRIED.

14. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 14, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, October 14, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees to the Regular Meeting. He noted that several members of Boy Scout Troop 20 of First Church of the Brethren were in attendance working on their Citizenship in the Community Merit Badge. The Scouts were requested to lead the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. September 23, 2010 – 8:50 p.m.

1. Police Services
2. Litigation

B. October 14, 2010

1. Personnel

SCHENCK Chairman Schenck announced that an Executive Session had been held immediately following the September 23rd meeting at 8:50 p.m. to discuss some potential contracted police services for another municipality and also some matters of potential litigation. He stated that following the meeting this date, an

additional Executive Session would be held surrounding personnel salaries as part of the budgeting process; also litigation with regard to the Tax Collector and potential litigation with regard to a Letter of Credit.

3. COMMUNICATION FROM CITIZENS

HELLER Jane Heller asked for the status of the Walters Farm project purchase.

SCHENCK Chairman Schenck provided a brief update that an offer was made through the Conservation Fund as the lead with an ultimate goal of transferring ownership to the township for preservation of open space and recreational use. The township pledged \$750,000 toward the effort. The activity is in the hands of the Conservation Fund. The deadline was extended to mid-January.

HELLER Ms. Heller noted that she had previously mentioned that there may be people in the township who would like to contribute. She asked if there was a way to set up a fund for contributions.

HOLMAN Mr. Holman noted that the Conservation Fund will be announcing a process through which individuals will be able to donate specifically for that purpose.

WEYANT Steven Weyant, 209 South Harlan Street brought forward his concern about speeding cars through the neighborhood of South Harlan Street.

SCHENCK Chairman Schenck responded that a traffic meeting is held monthly to discuss traffic issues.

HOLMAN Mr. Holman stated that, as complaints come in, they schedule traffic and speed counts, which can trigger enforcement. That is the first step in the process.

SCHENCK Chairman Schenck added that as residents of the township meet with legislators, he encouraged everyone to request that local police departments be permitted to use radar to help control speeds in neighborhoods.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided a written report and offered to respond to any questions.

LANDIS Ms. Landis asked for an update on the tentative completion date for the treatment plant.

CRABILL Mr. Crabill responded that a request had been made of the contractor to move the completion date closer. Mr. Crabill noted that he expected a date within the month.

- DVORYAK** Mr. Dvoryak asked for a status of the Chesapeake Bay cleanup project and any concerns with regard to the EPA process.
- CRABILL** Mr. Crabill responded that the EPA indicated their review showed deficiencies in the Watershed Implementation Plan for Pennsylvania, New York, Virginia and West Virginia. EPA and DEP have had a series of meetings with no definitive results. By the year 2017, when the township's permit will be renewed, all requirements must be met.
- SCHENCK** Chairman Schenck commented that all the money that the township had spent will not meet the new regulations.
- DVORYAK** Mr. Dvoryak asked if PSATS was actively working on the matter.
- HOLMAN** Mr. Holman responded that PSATS and the Capital COG, along with Buchart-Horn, are working extensively on it because this is a group that is specifically interested. Pennsylvania's legislators will be working on it as well as the federal legislators. Mr. Holman added that he will be sending a letter directly from Springettsbury Township on behalf of the eight other municipalities as well.
- B. Civil Engineer – First Capital Engineering, Inc.
- LUCIANI** Mr. Luciani had provided a monthly report for the board. He provided additional information and photographs with regard to the corroded pipe issue on Kingston Road, which had been successfully corrected on Cortleigh Drive. After eight years there was no additional wear and tear and is considered a successful solution.
- SCHENCK** Chairman Schenck expressed his appreciation for the solution to the stormwater problem on Eastern Boulevard.
- LUCIANI** Mr. Luciani indicated that the Suburban School District should be applauded in the design of their storm water improvements.
- SCHENCK** Chairman Schenck asked about the status of the York County Rail Trail issues. He noted the board's concern with putting the trail out on Sheridan Road.
- LUCIANI** Mr. Luciani responded that they will be discussing some of their issues with the Planning Commission at the next meeting. There may be some ordinance issues to support the township's concerns; however, it is hoped that the issues can be resolved.
- LANDIS** Ms. Landis asked about the subdivision at Druck Valley and Mt. Zion Roads. Her question was whether it was different from a single family development.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**OCTOBER 14, 2010
APPROVED**

LUCIANI Mr. Luciani responded that a single family, residential home could be built on that property with only a Building Permit and a stormwater plan. However, the developer desires to move a property line which triggered a number of other issues. They will need waivers for a number of ordinance requirements, and in addition, they will be unable to waiver the Mt. Zion Water District requirements. Both houses will need to be connected to the water line, governed by a PUC agreement with the York Water Company and the township.

LANDIS Ms. Landis added her concerns with traffic.

LUCIANI Mr. Luciani responded that they have a PennDOT permit for a single driveway.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire & Rescue Commission Meeting Minutes – August 17, 2010.
- B. Acknowledge Receipt of York Area United Fire & Rescue Commission Special Budget Meeting Minutes – September 7, 2010.
- C. Board of Supervisors Regular Meeting Minutes – August 26, 2010.
- D. Board of Supervisors Regular Meeting Minutes – September 9, 2010.
- E. Board of Supervisors Regular Meeting Minutes – September 23, 2010.
- F. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 17 in an amount not to exceed \$311,022.57.
- G. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 15 in an amount not to exceed \$52,900.75.
- H. Regular Payables as Detailed in the Payable Listing of October 14, 2010.

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH H. EXCLUDING ITEM C. MOTION UNANIMOUSLY CARRIED.

- C. Board of Supervisors Regular Meeting Minutes – August 26, 2010

LANDIS Ms. Landis brought forward several questions and comments concerning the August 26, 2010 minutes. She noted that some of her discussion points had not been mentioned, as well as the fact that Roberts Rules of Order had been implemented in the creation of the minutes, although the motion to change the process for minutes took place on September 23rd. She noted the amount billed for the creation of the minutes. She had questioned the additional grant funds available for the Cops in Schools program. She also wanted mention of the discussion concerning the police vehicles that were on the Municibid.

MR. BISHOP MOVED TO APPROVE THE MINUTES FROM THE AUGUST 26, 2010 MEETING AS PRESENTED.

MR. DVORYAK MOVED TO AMEND MR. BISHOP'S MOTION TO REPLACE A WORD WITHIN HIS MOTION FROM "IN" TO "AND" ON PAGE 7 TO READ AS FOLLOWS: MR. DVORYAK MOVED TO APPROVE SPRINGETTSBURY TOWNSHIP MAKING A PLEDGE

OF \$750,000 FOR THE ACQUISITION OF THE WALTERS PROPERTY, WHICH WOULD BE SUBJECT TO TERMS AND CONDITIONS ACCEPTABLE TO SPRINGETTSBURY TOWNSHIP BOARD OF SUPERVISORS AND OBTAINING A SATISFACTORY APPRAISAL ON THAT PROPERTY. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck acknowledged the amendment to the motion. He asked Ms. Landis if there were specific amendments she wished to make, inasmuch as there was a motion on the table.

MS. LANDIS MOVED TO AMEND MR. BISHOP'S MOTION TO INSERT THE FOLLOWING ON PAGE 3 OF THE AUGUST 26, 2010 MINUTES: SUPERVISOR LANDIS INQUIRED WHETHER THERE WERE ADDITIONAL FUNDS TO BE RECEIVED REGARDING THE COPS IN SCHOOL GRANT. MR. HOLMAN RESPONDED THAT ALL OF THE REVENUE FROM THE GRANT FUNDS HAD BEEN RECEIVED.

MS. LANDIS MOVED TO AMEND MR. BISHOP'S MOTION TO INSERT THE FOLLOWING UNDER COMMUNICATION FROM SUPERVISORS ON PAGE 5: SUPERVISOR LANDIS INQUIRED ABOUT THE VEHICLE SHOWN ON MUNICIBID, WHICH SHE UNDERSTOOD WAS TO BE REPAIRED AND PLACED BACK IN THE FLEET.

SCHENCK Chairman Schenck acknowledged Ms. Landis' amendment to the motion.

MOTION CARRIED. MR. BOWMAN ABSTAINED AS HE WAS NOT PRESENT.

LANDIS Ms. Landis asked whether Mr. Holman would respond with an answer to her additional questions concerning the minutes.

HOLMAN Mr. Holman responded that he would do so.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Approve Change Order Request No. 3 – Frey Lutz Corporation (Mechanical) – BNR Project for a total amount not to exceed \$2,151.63 (items 3.1 through 3.7)
- B. Authorization to Approve Change Order Request No. 8 – Conewago Enterprises (General) – BNR Project for a total amount not to exceed \$31,010 (items 8.1 through 8.5).

DVORYAK Mr. Dvoryak questioned some items noted that were not specified in the contract drawn up by Buchart Horn.

CRABILL Mr. Crabill responded that there are cases where changes are made to make the system work more efficiently; additions are made for things not written in the specification. There are unforeseen circumstances as well.

HOLMAN Mr. Holman noted that the project is within 1.8 to 2% of the original contract bid budget.

LANDIS Ms. Landis questioned a comment that Buchart Horn did not include two existing blowers, which she perceived was overlooked.

CRABILL Mr. Crabill responded that there are three specific types of change orders: owner-requested, unforeseen and errors and omissions. The item she mentioned was an omission due to the fact that there were blowers needed to be repowered.

BISHOP Mr. Bishop noted that change orders do not always cost more money, as there have been change orders that ultimately ended up saving the township money.

MR. DVORYAK MOVED TO APPROVE CHANGE ORDER REQUEST NO. 3 AND NO. 8, AS OUTLINED ON THE AGENDA. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-10-01 – Willow Street – 12/15/10 (Action)

BAUGH Mr. Baugh provided an overview of the plan, which proposed 16 duplex units on 3 acres, zoned properly for the duplexes. The two questions originally were the screening on Willow Street and the intersection of Church and Sheridan. Several issues were clarified:

- Intersection of Sheridan and Church – Traffic Study showed reasonable speeds, adequate sight distance.
- Private road/interior parking – Documented in Homeowner’s Association documents; reviewed by Solicitor Ehrhart.
- Emergency Access – Adequate per Chief McCoy and Captain Hovis.
- Waiver requests – Basin bottom slope of 4%; monuments at corner.
- Conditions – administrative; preliminary plan on Mylar, financial security.
- Recreation fee in lieu of – determined by Park and Rec Board.

MR. BOWMAN MOVED WITH REFERENCE TO SUBDIVISION PLAN SD-10-01, WILLOW STREET TO GRANT THE TWO WAIVERS AND APPROVE THE FOUR CONDITIONS AS LISTED ON THE STAFF REPORT DATED OCTOBER 14, 2010. MOTION CARRIED 4/1. MESSRS. DVORYAK, BOWMAN, BISHOP AND SCHENCK VOTED IN FAVOR; MS. LANDIS VOTED NO.

SCHENCK Chairman Schenck asked Solicitor Rausch whether it would be necessary to state the opposition since the plan is for a subdivision.

RAUSCH Solicitor Rausch responded that it was not necessary.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis commented on the nice job done for a fantastic Saturday in the Park event. She thanked all the volunteers and staff who worked on the event.

HOLMAN Mr. Holman added that he was thrilled to have a sunny day.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

10. MANAGER'S REPORT

HOLMAN Mr. Holman provided an overview of the Health Reform Act through BENECON and the IIC. He noted that the plan renewal is January 1, 2011. The rate increase will be 2.1% for 2011, with which he was very pleased. He noted that because the plan is self-funded with many preventive care benefits there is minimal impact. In addition, there will be no need to report healthcare benefits on the W2's for 2011. He noted that there are daily changes to the plan, and he will keep the board updated.

LANDIS Ms. Landis questioned a letter submitted by the Historic Preservation Committee about the township's farm house. She asked why it was submitted to the Planning Commission and the Board of Supervisors.

HOLMAN Mr. Holman responded that the HPC probably wanted to bring this to the board's attention as they are reviewing the building. He offered to request information from the HPC. He was not aware of anything that would have triggered the letter at this time.

11. ORDINANCES AND RESOLUTIONS

A. Authorization to Advertise Amendment to Township Code of Ordinances – (Chapter 265 – Public Sewer System).

HODGKINSON Mr. Hodgkinson stated that every five years EPA directs the township to update the local limits for heavy metals and toxics that industry/commercial business can discharge into the sanitary sewers. The process is lengthy with analytical testing, followed by a negotiation between the township and EPA. Following agreement, the township ordinance must be updated. There was some discussion concerning imposed fines for non-compliance leading to \$1,000 a day per violation, which Mr. Hodgkinson indicated was directed by EPA. He added that the sister municipalities meet each quarter to discuss all the new requirements and proposed limits so they are informed.

MR. DVORYAK MOVED TO AUTHORIZE ADVERTISEMENT OF AMENDMENT TO TOWNSHIP CODE OF ORDINANCES (CHAPTER 265 – PUBLIC SEWER SYSTEM). MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. Board of Supervisors Regular Meeting Minutes – July 22, 2010

SCHENCK Chairman Schenck indicated that the July 22, 2010 minutes were slated for action. He asked whether there were any additions or corrections to the minutes, which had been held for further review. Hearing none, he called for a motion.

MR. BOWMAN MOVED TO APPROVE BOARD OF SUPERVISORS REGULAR MEETING MINUTES JULY 22, 2010. MOTION UNANIMOUSLY CARRIED.

B. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that a YorkCounts meeting was scheduled for Monday, August 18th, 6 o'clock, Stock & Leader downtown. He noted the selected contractor will be present to explain the project.

13. NEW BUSINESS

A. Acknowledge Payment by York Adams Tax Bureau to York Auto Group for Refund of Overpayment of Mercantile/Business Privilege Tax Payments in the amount of \$20,070.23.

SCHENCK Chairman Schenck noted that the York Auto Group had requested a refund of an overpayment in taxes.

HOLMAN Mr. Holman stated that, after review by the Solicitor, York Adams Tax Bureau and York Adams Tax Bureau Specialists, it was determined that the refund was due and owing. York Adams Tax Bureau paid the refund in the amount \$20,070.23. He noted appreciation of the efforts of York Adams Tax Bureau.

Vacancies – Park and Rec Board; Historic Preservation Commission

SCHENCK Chairman Schenck noted that he hoped Mr. Holman would be able to have a candidate for the Park and Rec Board available to meet with whichever board members would be available prior to the next meeting at 6:30 p.m.

HOLMAN Mr. Holman responded that he would do so, and added that there will be two candidates, one for Park and Rec Board and one for the Historic Preservation Commission.

Springettsbury Township Tax Collector Issues

SCHENCK Chairman Schenck asked Mr. Holman whether or not the township was keeping accurate records with regard to issues with the Springettsbury Township Tax Collector. He noted receipt of the copied letter from York Suburban School District listing their difficulties with accuracy of records and mysterious monies.

HOLMAN Mr. Holman responded that the township has excellent records at this time with regard to it including letters sent to the Tax Collector. He noted the board will be discussing the matter in more detail in the Executive Session as there is litigation.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session immediately following the meeting. He adjourned the meeting at 8:40 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 23, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 26, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Betty Speicher, Director of Human Resources
Robert McCoy, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and recognized a Boy Scout from Troop 20 working on his Citizenship in the Community Merit Badge. Chairman Schenck led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session was held following the September 9th meeting to discuss real estate issues surrounding the Walters property. He announced that a short Executive Session would be held immediately following the meeting this date to discuss potential litigation surrounding an on-line sale and police services.

3. COMMUNICATION FROM CITIZENS

HOLLAND Stephanie Holland, 405 Cortleigh Drive asked about when and where the location of the speed tables would be . She expressed concern about the timing with bad weather coming and the speed tables sitting in a warehouse until spring.

Discussion took place surrounding development of a policy, and following review by the Chief of Police, Public Works Superintendent and others, the policy will be adopted and installation will follow quickly.

STUHRE Charles Stuhre, 3680 Trout Run Road thanked the Public Works Department for doing a really nice job of patching the western entrance of Trout Run Road.

BRONSON Phillip Bronson of Duncannon, Pennsylvania asked for consideration by the board regarding his Municibid purchase of a retired police service car. He expressed dissatisfaction with the photograph as advertised and the actual vehicle that he picked up upon purchase.

SCHENCK Chairman Schenck responded that the topic would be discussed during Executive Session due to some legal ramifications, and a quick response would be provided to him.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided a written report. There were no additional comments or questions on his report.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani provided a PowerPoint presentation and described the potential planning for traffic control for the Kingston/Cortleigh intersection, which included pavement markings, physical improvements, striping, parking lanes and defined school crossing zones.

Board members discussed the effectiveness of heavily defined cross walks and high population of children in school zones.

Consensus of the board was to move forward with the line painting contract using the high intensity latex paint.

LUCIANI Mr. Luciani also reported on the pipe problem at 3400 Kingston Road. He presented three options: Full replacement with a box culvert at approximately \$160,000; the use of Gunnite at approximately \$50,000; and the use of Concrete Channel at approximately \$20,000. His recommendation was the use of Concrete Channel, which would cover the bottom of the pipe and provide for another 20 years of pipe use. This would be a bid project.

Consensus of the board was to accept the engineer's recommendation of Concrete Channel and move forward with the repair project.

LUCIANI Mr. Luciani noted that the adoption of Innovation Drive appeared on the agenda. He stated that the township was not required to adopt the street; however, the developer had done everything necessary for adoption.

5. CONSENT AGENDA

- A. Acknowledge Receipt of August 31, 2010 Treasurer's Report.
- B. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 16 in an amount not to exceed \$424,230.43.
- C. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 15 in an amount not to exceed \$80,939.70.
- D. Regular Payables as Detailed in the Payable Listing of September 23, 2010.
- E. LD-09-03 – Time Extension – Rail Trail – Plan Expires 10/27/10 (New Plan Date – 1/27/11).
- F. SD-06-11 – Time Extension – 3308 Becker Tract – Plan Expires 10/25/10 (New Plan Date – 1/25/11).
- G. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 11/31/10 (New Plan Date – 12/31/10).
- H. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 10/26/10 (New Plan Date 1/26/11).
- I. LD-08-04 – Reapproval – 94 Locust Grove Road (Final Plan).

MR. DVORYAK MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH I. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Execute the Commonwealth Law Enforcement Assistance Network (CLEAN) Agreement between the Pennsylvania State Police and Springettsbury Township Police Department.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO EXECUTE THE COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK AGREEMENT BETWEEN THE PENNSYLVANIA STATE POLICE AND THE SPRINGETTSBURY TOWNSHIP POLICE DEPARTMENT. MOTION UNANIMOUSLY CARRIED.

- B. Authorization to Execute the 2011 Animal Care and Housing Agreement with the York County SPCA in an amount not to exceed \$11,942.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE 2011 ANIMAL CARE AND HOUSING AGREEMENT WITH THE YORK COUNTY SPCA IN AN AMOUNT NOT TO EXCEED \$11,942. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

8. COMMUNICATION FROM SUPERVISORS

- LANDIS** Ms. Landis asked for an update regarding the renovations of the administration building and the police station.
- HOLMAN** Mr. Holman responded that a meeting will be scheduled with the staff to discuss these projects.
- DVORYAK** Mr. Dvoryak reported that a meeting had been held of the Springettsbury Volunteer Fire Company Board on September 21st, at which time it was agreed to give up their interest in any new fire station or funds that they would contribute from the sale of their existing fire station. Mr. Dvoryak noted that this is under review by Attorney Rausch and their attorney and an agreement will be provided. In addition, Mr. Dvoryak noted that within the context of developing a new fire station and a new police station, there appeared to be a potential duplication of a variety of things. Mr. Dvoryak commented that it was a matter that should be addressed.
- BISHOP** Mr. Bishop reported that YorkCounts Police Task Force scheduled a dinner meeting at Stock and Leader on Monday, October 18th at 6 p.m. Anyone from municipalities that are involved is invited to attend. The meeting will include a presentation by the consultant that was selected to do the research project. Mr. Bishop will email the board members with the information to provide for a response to Stock and Leader.
- BISHOP** Mr. Bishop brought forward discussion surrounding the need to address bringing on board a new Emergency Management Coordinator in Springettsbury Township. He and Mr. Schenck had been appointed a committee of two to review the matter, which may need to become a regional approach. Lt. Trott has served as the Deputy Coordinator. Mr. Holman was requested to assist in making recommendations toward the solution.
- BOWMAN** Mr. Bowman reported that a resident living on Eastern Boulevard in the area of Exit 19 and Market Street asked for a wall or some sort of noise abatement from the use of Jake brakes on the exit ramp.
- HOLMAN** Mr. Holman offered to send a letter to PennDOT. He will involve Mr. Luciani as well in that the roads are both state and federal.

9. SOLICITOR'S REPORT

- RAUSCH** Solicitor Rausch responded to Ms. Landis' request for information on the Mercantile Tax Refund Request. York Adams Tax Bureau had provided a report indicating that Penn Oaks had been denied as they are a public charity. York Auto Group provided additional information concerning the calculation of trade-ins. Miltex request was denied based on information provided to the township.

10. MANAGER'S REPORT

HOLMAN Mr. Holman reported that he and Mrs. Speicher attended a work session with the Susquehanna Municipal Trust. He thanked her as Safety Coordinator and all the committee and administrative people for their work in keeping the employees safe. A premium refund check was received for the years 2006, 2007 and 2008 in the amount of \$106,000 representing a return of investment to help keep costs down for the taxpayers.

11. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-51 – Accepting the Offer of Dedication for Public Use of Innovation Drive.

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-51 ACCEPTING THE OFFER OF DEDICATION FOR PUBLIC USE OF INNOVATION DRIVE. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

A. Board of Supervisors Regular Meeting Minutes – July 22, 2010

The Board of Supervisors discussed an issue brought forward by Ms. Landis with regard to an item noted in the July 22, 2010 minutes, page 26, under email issues with the Manager. Ms. Landis had presented revised wording of her version of the notation in the minutes.

Consensus of the board was to postpone action on the July 22, 2010 minutes until the next meeting.

Additional discussion ensued with regard to the length and detail of the minutes. It was noted that minutes only need to record when the meeting was held and where, who was present and motions made and carried.

MR. BISHOP MOVED TO DIRECT THE MANAGER TO CHANGE THE PROCESS FOR CREATING THE MINUTES AT LEAST BETWEEN NOW AND THE END OF THE YEAR TO STRICTLY FOLLOWING ROBERTS RULES OF ORDER FOR THE PREPARATION OF MINUTES AND SEE HOW THAT GOES.

MOTION CARRIED 3/2. MESSRS. BISHOP, BOWMAN AND SCHENCK VOTED YEA; MR. DVORYAK AND MS. LANDIS VOTED NAY.

13. NEW BUSINESS

A. Emergency Repairs to the Wastewater Treatment Facility's Centrifuge Rotating Assembly in the amount of \$30,220.

**MS. LANDIS MOVED TO APPROVE EMERGENCY REPAIRS TO THE
WASTEWATER TREATMENT FACILITY IN THE AMOUNT OF \$30,220. MOTION
UNANIMOUSLY CARRIED.**

LANDIS Ms. Landis brought forward the timing of the Budget Work Sessions, scheduled for October 6th, October 13th, November 3rd, November 10th at 7 a.m. and November 17th at 6:30 p.m. She requested the board's interest in having the timing flexible and staggered.

Discussion of the board determined that the board would meet as planned at 7 a.m. on October 6th and send emails with potential other flexible dates and times.

DVORYAK Mr. Dvoryak noted that he had provided some proposed ideas for the budget process which would provide more for strategic planning than line-by-line review.

SCHENCK Chairman Schenck cautioned the board that changing the format at this time might place the staff in a burdensome position. He advocated for more strategic discussion which would include the Directors' budget presentation, as well as significant areas of change.

HOLMAN Mr. Holman mentioned that with the new Dashboard system, he would be able to provide any comparison of actual expenses the board would request.

14. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session to be held immediately following adjournment and adjourned the meeting at 8:35 p.m.

Respectfully submitted,

John Holman

Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**SEPTEMBER 9, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, September 9, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Chief, Police Department
Robert McCoy, Chief, YAUFRR
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order. He welcomed the attendees. He stated that in attendance were Boy Scouts from Troop 20 working on their Citizenship in the Community Merit Badge. He asked the scouts to lead the Pledge of Allegiance.

Scouts from Troop 20 led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session was held at 6:30 p.m. this date to discuss real estate matters.

3. COMMUNICATION FROM CITIZENS

HOLLAND Stephanie Holland, 405 Cortleigh Drive, reported on the status of the stop sign and traffic and asked for a progress report on speed humps and tables.

LUCIANI Mr. Luciani provided an update on the project.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his monthly written report. He presented photographs of the work in progress.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his monthly report. He noted that the adoption of Innovation Drive would be held until a minor issue is resolved. He provided additional information on the 3400 Kingston Road flowable fill repairs, Willow Street traffic and road issues, speed humps and speed tables.

5. CONSENT AGENDA

- A. Acknowledge Receipt of York Area United Fire & Rescue Commission Meeting Minutes – July 20, 2010
- B. Board of Supervisors Regular Meeting Minutes – July 22, 2010
- C. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 14 in an amount not to exceed \$113,848.
- D. Regular Payables as Detailed in the Payable Listing of September 9, 2010.

Items B and C were removed for additional discussion.

**MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA, ITEMS A AND D.
MOTION UNANIMOUSLY CARRIED.**

Consensus of the Board following discussion relating to item B, Regular Meeting Minutes of July 22, 2010, was to hold the minutes until the next meeting for clarification on page 26.

Consensus of the Board following discussion relating to item C concluded that the amount listed for Payment No. 14 to Frey Lutz Corporation was correct at \$113,848.

**MS. LANDIS MOVED TO APPROVE FREY LUTZ CORPORATION, BNR
IMPROVEMENT PROJECT, PAYMENT NO. 14 IN THE AMOUNT NOT TO EXCEED
\$113,848. MOTION UNANIMOUSLY CARRIED.**

6. ACCOUNTS PAYABLE

There were no additional Accounts Payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis asked when the \$500 contribution request from the York County Rail Trail would be discussed.

HOLMAN Mr. Holman responded that requests for donations would be discussed during the budget work sessions.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman had nothing to add to his written report.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-49 – Accepting the Offer of Dedication for Right-of-Way along East Market Street (Rite Aid).

MR.DVORYAK MOVED TO APPROVE RESOLUTION NO. 2010-49. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-50 – Authorizing the Transfer of Funds from the General Fund Fire Department Contract Services Account to the General Fund Employee Benefits Account in the amount of \$258,990.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2010-50. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-51 – Accepting the Offer of Dedication for Public Use of Innovation Drive.

Consensus was to hold item C for the next meeting to allow for a minor adjustment.

13. OLD BUSINESS

LANDIS Ms. Landis requested an update and timeframe regarding the tax refund.

RAUSCH Solicitor Rausch responded that they are waiting for information from the York Area Tax Bureau. No timeframe had been provided.

14. NEW BUSINESS

DVORYAK Mr. Dvoryak suggested several potential changes that could be made to the budget approach. He offered to put his suggestions in writing for the board members. In addition, he made several cost saving suggestions including the development of RFP's for professional services.

HOLMAN Mr. Holman offered to discuss the items with PSATS and the ICMA and bring information back to the board.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:03 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 26, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, August 26, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
George Dvoryak, Vice Chairman
Don Bishop
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Mark Hodgkinson, Director of Wastewater Treatment Plant
Lt. Scott Laird, Police Department
Robert McCoy, Chief, YAUFR
David Wendel, Director of Parks and Recreation
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. and led the Pledge of Allegiance.

B. Presentation of Gift Card for Police Canine Supplies

DOLL Mr. Darwin Doll of the York Muscle Car Madness Reunion presented a gift card for pet supplies for Petro in the amount of \$600.00

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. August 26, 2010 – 6:00 p.m. – Real Estate

SCHENCK Chairman Schenck announced that prior to the meeting this date an Executive Session had been held where real estate negotiations were discussed.

3. COMMUNICATION FROM CITIZENS

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**AUGUST 26, 2010
APPROVED**

WEIKERT Bob Weikert, 827 Locust Grove Road, expressed his appreciation for the way the township operates, the quality of life, parks and potential purchase of the Walters property.

STUHRE Charles Stuhre, 3680 Trout Run Road, addressed the dangerous intersection at Druck Valley Road/Mt. Zion Road and encouraged the board to find a solution. Mr. Stuhre also commented on recent paving of Druck Valley Road from Mt. Zion to Sherman Street, followed by manhole work. He suggested Public Works perform the paving portion as they do expert paving.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Dennis Crabill provided some new photographs for the board. He noted that he had provided a written report and offered to respond to questions.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had submitted his written report, and he had three updates. 1) Harley-Davidson – The township approved their plan, and they have been going through a lot of signal modifications in order to accommodate their shift changes. 2) 3400 Kingston Road – Restoration work continued on the pipe that extends to the township park. Mr. Lauer provided several flowable fills as a temporary fix. 3) Kingston Road Traffic – Mr. Luciani and Mr. Holman met with the Priest at St. Joseph’s Catholic Church in order to coordinate the suggested changes to the crosswalks, elimination of some of the parking and drawing up a plan to accommodate those changes. 4) Speed humps have been delivered; policy will be drafted for their use as warning devices.

5. CONSENT AGENDA

A. Acknowledge Receipt of July 31, 2010 Treasurer’s Report.

B. Acknowledge Receipt of York Area United Fire & Rescue Commission Meeting Minutes – June 15, 2010.

C. Board of Supervisors Regular Meeting Minutes – June 24, 2010.

D. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 15 in an amount not to exceed \$799,345.56.

E. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 13 in an amount not to exceed \$182,667.90.

F. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 14 in an amount not to exceed \$660,487.50.

G. Regular Payables as Detailed in the Payable Listing of August 26, 2010.

H. SD-09-03 – Time Extension – Carter SD – Plan Expires 9/18/10 (New Plan Date 12/18/10).

I. SD-10-01 – Time Extension – Willow Street – Plan Expires 9/15/10 (New Plan Date 12/15/10).

Item C was removed for further discussion.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH I EXCEPT FOR ITEM C. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Regular Meeting Minutes – June 24, 2010

SCHENCK Chairman Schenck opened the floor for discussion of the June 24th minutes.

LANDIS Ms. Landis noted that Chief Eshbach's name had not appeared on the list of attendees and should be added. She noted on page 14 last paragraph should read "...whether this would hinder the police department if the Board of Supervisors held off on not purchasing a police car."

MR. DVORYAK MOVED TO APPROVE THE MINUTES AS AMENDED. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There was no further action necessary.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Execute Scope of Services Engineering Agreement with Buchart Horn, Inc. for Marlow Drive Sewer Replacement in an amount not to exceed \$20,000.

MR. BISHOP MOVED TO AUTHORIZE EXECUTION OF THE SCOPE OF SERVICES ENGINEERING AGREEMENT WITH BUCHART HORN FOR MARLOW DRIVE SEWER REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$20,000. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Execute Sanitary Sewer Easement Agreement with Komax Solar, Inc. for Relocation of Sewer Easement.

MR. BISHOP MOVED TO AUTHORIZE EXECUTING A SANITARY SEWER EASEMENT AGREEMENT WITH KOMAX SOLAR. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Execute Agreement for Services Between Springettsbury Township and Central York School District for School Resource Officers for the 2010-11 School Year.

LANDIS Supervisor Landis inquired whether there were additional funds to be received regarding the Cops in School grant.

HOLMAN Mr. Holman responded that all of the revenue from the grant funds had been received.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO EXECUTE AGREEMENT FOR SERVICES BETWEEN SPRINGETTSBURY TOWNSHIP AND CENTRAL YORK SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS FOR THE CALENDAR YEAR 2010-11. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Execute Agreement for Services Between Springettsbury Township and York Suburban School District for School Resource Officers for the 2010-11 School Year.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO EXECUTE AGREEMENT FOR SERVICES BETWEEN SPRINGETTSBURY TOWNSHIP AND YORK SUBURBAN SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS FOR THE CALENDAR YEAR 2010-11. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Authorization to Renew Participation Agreement in the Capital Region Council of Governments TMDL Work Group

MR. DVORYAK MOVED TO AUTHORIZE RENEWING PARTICIPATION AGREEMENT IN THE CAPITAL REGION COUNCIL OF GOVERNMENTS TMDL WORK GROUP. MOTION UNANIMOUSLY CARRIED.

F. Authorization to Execute Contract with York County Solid Waste Authority for the Purchase of Recycling Collection Containers.

MR. BISHOP MOVED TO EXECUTE CONTRACT WITH YORK COUNTY SOLID WASTE AUTHORITY FOR THE PURCHASE OF RECYCLING COLLECTION CONTAINERS. MOTION UNANIMOUSLY CARRIED.

G. Authorization to Enter into Memorandum of Understanding with York County Conservation District for MS4 Control Measures.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH YORK COUNTY CONSERVATION DISTRICT FOR MS4 CONTROL MEASURES. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-10-01 – Willow Street – 9/15/10 (Action)

BAUGH Mr. Baugh stated that the plan had been formally named as Homes of Emma Lane, also known as Willow Street. He provided background information details and progress regarding the plan in a Briefing Memorandum dated August 26, 2010.

Issues discussed related to the landscaping, striping of the road, curbs and gutters, zoning issues, traffic study requirements, limited parking, emergency vehicle access, storm water basin, iron pins versus concrete markers,

KELLY Peggy Kelly, 4568 North Sherman Street, stated her displeasure with the proposed development. She voiced issues with traffic and safety with the addition of 16 new homes. She noted the resident hawks and deer which she found of personal value.

HAMME Doris Hamme, 2550 Willow Street, commented on the history of Willow Drive and noted that is a private street. She voiced issues with traffic, sight distances, and overcrowding with 16 homes.

HAMME Kerwen Hamme, 2550 Willow Street, voice displeasure with the lack of mowing and maintenance on land he had moved in the past. He added concern for traffic and safety issues,

CRADDOCK Mr. Craddock stated that, as a Professional Engineer for the developer, they believed that the plan had met the requirements of the law.

SCHENCK Chairman Schenck asked if there was any further discussion. He asked for Solicitor Rausch's legal opinion.

RAUSCH Solicitor Rausch indicated that he had not heard anything from a legal standpoint that did not comply with the ordinance requirements.

Consensus of the board was not to act on the plan with direction to the staff for clarification and absolute certainty for safety at the intersection of Sheridan and Church streets; and to clarify issues with respect to the private road, interior parking governed by the Homeowner's Agreement; and assurance from the Fire Chief of the situation.

9. COMMUNICATION FROM SUPERVISORS

BISHOP Mr. Bishop commented on the issue of closing streets for local street fairs and advised that County Liquid Fuel Funds would no longer be available for traffic studies.

LANDIS Ms. Landis brought forward an item concerning the possible unexpected tax issues.

HOLMAN Mr. Holman responded that the concern with regard to that dealt with the tax appeals that had been filed. He and Solicitor Rausch are working on that with the York Adams Tax Bureau.

LANDIS Ms. Landis inquired about the vehicle shown on Municibid, which she understood was to be repaired and placed back in the fleet.

HOLMAN Mr. Holman responded that vehicle purchases were on hold.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman reported that, with regard to the York County Tax Collection Coalition, the York Adams Tax Bureau had been appointed as the collector for the York Adams Tax Coalition through year 2012.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-43 – Authorizing Disposition of Records

MR. BISHOP MOVED TO APPROVE RESOLUTION 2010-43. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-44 – Authorizing Execution of PennDOT Condition Statement for Application NO. 290096 for Improvements on East Market Street.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2010-44 FOR IMPROVEMENTS ON EAST MARKET STREET. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-45 – Authorizing Execution of PennDOT Condition Statement for Application No. 271278 for Improvements at the Intersection of Pleasant Valley and Mt. Zion Road.

MR. DVORYAK MOVED TO APPROVE RESOLUTION 2010-45. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2010-46 – Met Ed Street Lights – Concord Road

MR. BISHOP MOVED TO APPROVE RESOLUTION 2010-46, STREET LIGHTS. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2010-47 – Application for County Aid for Annual Road Projects in the amount of \$10,000.

MS. LANDIS MOVED TO APPROVE RESOLUTION 2010-47. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 2010-48 – Adopting Procedures for Closure of Local Roads.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 2010-48. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Conservation Fund: Walters Property

SCHENCK Chairman Schenck noted that the Walters Property subject had been placed under Old Business to provide for additional discussion. He noted that Todd McNew was present for updates with regard to the project.

MCNEW Mr. McNew yielded the floor to Carol Tanzola and other individuals to speak about the project.

TANZOLA Carol Tanzola, Springettsbury Township resident and also President of Friends of Camp Security, expressed her excitement for the project and the opportunities that would open within the community. She stated that the Walters/Conservation Fund is to be commended and has the full support of Friends of Camp Security.

NICHOL Jeanne B. Nichol, 12 Washington Court stated her support of the Conservancy Fund and preservation of the Walters farm. In addition, she suggested that, if the project goes forward, a small memorial would be dedicated to Clair Rowe and his wife to honor their desire for conservation of the property.

SHIPLEY Eva Shipley, 7 Washington Court, spoke in support of conserving the land and keeping the open space for future generations. She asked if there was road access and was assured that access is located on Eastern Boulevard at the park.

JUST Linda Just, 496 Locust Grove Road noted that her home had been built by the previous owner of the Rowe farm. She requested details of the project if it moved forward.

SCHENCK Chairman Schenck responded that the intention was to retain the land as open space, which could imply a park and would likely remain as it is for five, 10 or 15 years. Public access will be available for walking trails, etc.

FERREE Denise Ferree, 626 Locust Grove Road, stated that she was thrilled that the opportunity has been made to the township and she fully supported the project.

FREY Wilbert Frey, 701 Locust Grove Road, stated that it was important to him that the land remain open to the public, since it is in his back yard.

MR. DVORYAK MOVED TO APPROVE SPRINGETTSBURY TOWNSHIP MAKING A PLEDGE OF \$750,000 FOR THE ACQUISITION OF THE WALTERS PROPERTY, WHICH WOULD BE SUBJECT TO TERMS AND CONDITIONS ACCEPTABLE TO SPRINGETTSBURY TOWNSHIP BOARD OF SUPERVISORS AND OBTAINING A

SATISFACTORY APPRAISAL ON THAT PROPERTY. MOTION UNANIMOUSLY CARRIED.

B. YorkCounts Public Safety Task Force

BISHOP Mr. Bishop reported that he had received a communication from YorkCounts with a request to confirm his contact information.

14. NEW BUSINESS

A. Motion to Confirm Results of MunicBid Auction of Various Township Equipment.

MR. BISHOP MOVED TO CONFIRM RESULTS OF MUNICIBID AUCTION. MOTION UNANIMOUSLY CARRIED.

B. Springettsbury Township Recreation Department Tree and Bench Dedication Policy

MS. LANDIS MOVED TO APPROVE SPRINGETTSBURY TOWNSHIP RECREATION DEPARTMENT TREE AND BENCH DEDICATION POLICY. MOTION UNANIMOUSLY CARRIED.

C. Acknowledge Receipt of Minimum Municipal Obligation for Pension Plans.

MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF MINIMUM MUNICIPAL OBLIGATION FOR PENSION PLANS. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:55 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 22, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, July 22, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Bob McCoy, YAUFRR Chief
Charles Lauer, Director of Public Works
David Wendel, Director of Parks and Recreation
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. June 18, 2010

1) Personnel

B. June 24, 2010 – 6:35 p.m.

1) Real Estate

2) Personnel

SCHENCK Chairman Schenck announced that several Executive Sessions had been held as listed above. On June 18th personnel issues were discussed, and on June 24th a

real estate matter regarding the Walters Tract and some personnel issues. He announced that no additional Executive Sessions had been scheduled at this time.

3. COMMUNICATION FROM CITIZENS

TULEYA John Tuleya, Spring Garden Township resident noted that he spends a lot of time in Springettsbury Township. His concern related to yard sale signs. He requested a change in the street area designation for yard sales, since some yard sales are held on streets off main roads. He noted that St. Joe's has a yard sale, but that is considered a special event, and that cost is \$40.00. He suggested that charge be changed to \$5.00.

SCHENCK Chairman Schenck stated that a yard sale permit is \$5.00.

TULEYA Mr. Tuleya responded that he didn't think it was fair to charge \$40.00 for the special event.

SCHRIVER Dan Schriver, 102 Pinehurst Road spoke in favor of their neighborhood block party, which had been an event held annually for 15 years. Last year the fee was \$15.00; this year the fee went up to \$260.00, which they understood was the result of a required traffic study.

SCHENCK Chairman Schenck noted that the issue had been brought to the board's attention, and the board had questioned it. He indicated that there had been some documentation from Mr. Holman.

HOLMAN Mr. Holman stated that the board had requested a review to determine whether a traffic study was a requirement of PennDOT. Although not a requirement, it's a recommended safety for local roads. They do require it on state roads; however, it is something recently recommended for local roads. Mr. Holman had provided the board with a copy of the current ordinance, along with some recommendations. Following a review the board could indicate that the traffic study may be good for a period of four/five years and then staff could go out and look at the road to make sure there had been no significant changes.

SCHENCK Chairman Schenck noted that it was his personal feeling that the requirement was made for all the wrong reasons. The cost of the traffic study is the issue, and that traffic study had been provided for free through the county. He asked about the timing of the event.

SCHRIVER Mr. Schriver responded that the timing of the event is in September. They plan to pay the fee this year because they have to have the application in four weeks beforehand; however, if it can't be changed this year, they won't be able to have the block party in the future.

SCHENCK Chairman Schenck commented that because it is an ordinance it could not be changed or amended quickly.

HOLMAN Mr. Holman indicated that it would fall under the "parade and festival" ordinance and in the Code of Ordinances.

SCHENCK Chairman Schenck noted that he had questioned the timing of the event to determine whether there would be time available to adjust the requirements.

LANDIS Ms. Landis asked whether the fee could be reimbursed.

HOLMAN Mr. Holman commented that the fee does not come to the township but rather goes to the county.

ZELIS Cristy Zelis of 108 Pinehurst Road indicated she is in charge of the block party. She had been told that she needed to bring the \$260 to the township office.

HOLMAN Mr. Holman stated that the bill comes to the township, and the township pays the county for the study.

SCHENCK Chairman Schenck asked whether the county is the lowest cost provider of traffic studies.

HOLMAN Mr. Holman responded that he had checked with Mr. Luciani's office and four additional engineers. The number is about right for a traffic study. He suggested that some township employees could be trained to do traffic studies through a PennDOT program. An ordinance could be advertised for the next meeting without seeing or reading one.

SCHENCK Chairman Schenck noted it was a possibility. The timing is unfortunate and does not work to fix the law.

HOLMAN Mr. Holman indicated that there are options that can be done to address the issue.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JULY 22, 2010
APPROVED**

SCHENCK Chairman Schenck indicated he thought the general feeling was that it was an unintended consequence that the board does not think is right. They are going to try to figure out a way around it, but he could only apologize for the timing this year. If neighborhoods want to get together and have a block party, which should be a celebration and this municipality should not stand in the way.

DRENNING Clark Drenning, 207 Maywood Road asked if a traffic study was done in the past.

HOLMAN Mr. Holman responded that traffic studies all had been done by the county free of charge.

SCHENCK Chairman Schenck asked whether there was a traffic study on file from last year.

HOLMAN Mr. Holman responded that they have all traffic studies on file.

SCHENCK Chairman Schenck asked whether it stated that it had to be a fresh traffic study.

HOLMAN Mr. Holman responded that the ordinance says upon completion of it that the permit will or will not be issued.

DRENNING Mr. Drenning commented that the traffic had not changed much.

LANDIS Ms. Landis noted that there was no language stating when or how long ago the traffic study would be valid.

HOLMAN Mr. Holman indicated that it would be a board decision. He would ask Solicitor Rausch for an opinion.

RAUSCH Solicitor Rausch noted that he thought they could work through a solution.

SCHENCK Chairman Schenck asked whether there were any new roads, homes, driveways, traffic lights, stop signs.

ZELIS Cristy Zelis responded that there had been no changes.

LUCIANI Mr. Luciani noted that there had been no significant change and that PennDOT accepts traffic studies up to five years.

HOLMAN Mr. Holman indicated that a policy could be established where police and/or Public Works would just walk the area to be sure of no significant change from

the prior year. In that fashion he could get a sign off for the administrative process to be sure to meet all the safety guidelines.

ZELIS Ms. Zelis noted that she planned to come to the office the next day.

RAUSCH Solicitor Rausch indicated that he would try to get an answer to the manager by the next morning.

DRENNING Mr. Drenning stated that his property borders the old right-of-way that connects to the new school, and also to Pinehurst and Third Street. He had worked everything out with the school's attorney in terms of the Quit Claims being provided in front of his property and to the side where the right-of-way goes through. However, some of his neighbors who also shared that same burden had asked him how it worked out. He had directed them to the township; however, they are not getting proper direction.

SCHENCK Chairman Schenck indicated that he thought that was addressed as part of that plan.

LUCIANI Mr. Luciani responded that it had been addressed as part of that plan. Two streets had to be vacated for Yorkshire's property. The rights-of-way were 50 feet and in that case some property was abandoned. Some property adjoiner owners received 25 feet and the school received 25 feet. The school district and their engineers were to communicate with the adjoiners to advise them of the extra 25 feet of property. Mr. Luciani added that he thought there had been a condition or a note on the plan to rewrite their deeds so that there were no unknown pieces of ground. The plan had been recorded, the building is being built. The bonding is still in place.

DRENNING Mr. Drenning responded that he was correct. However, he had not received a new deed on either of the Quit Claims that he had signed some time ago.

HOLMAN Mr. Holman offered to contact the school district to inquire about the status of the Quit Claim deeds. He stated that it was their requirement to file the Quit Claim deeds and update the titles.

DRENNING Mr. Drenning noted that his other neighbors who share the property had not received any notice or indication that they could claim this property.

SCHENCK Chairman Schenck indicated that Mr. Holman will remind them of their responsibility. He thanked Mr. Drenning for bringing it to the board's attention.

Barking Dog Issue

JOHNESCU Teresa Johnescu, 2950 Beacon Road, came before the board to present several issues concerning a property at 560 Quaker Road. She presented an overhead series of photographs depicting the negligent maintenance, which was not in keeping with the residential standards of the neighborhood. She cited items from the Municipal Code 227.4, A and B which documented maintenance of the exterior of premises and structures. She noted that Mr. Baugh had been helpful in working through township ordinances, which had resulted in bringing forth a court case that to date was within a 30-day appeal window. There are illegal structures on the property outside the standard ordinances for the property. In addition to the series of photographs showing the waste, brush, obstructions, debris and rubble, she presented an audio recording of the continual barking of an outside dog tied within the property. The dog lunges at neighbors whose properties abut which impacts a number of neighboring homes. The SPCA has visited the property, and found that the owner apparently meets the minimum standards for the dog. However, she had observed the dog outside during frigid wintry days and in the heat of the summer months. Ms. Johnescu strongly encouraged the board to consider some ordinance to limit the length of time a dog can be kept outside on a lead. She noted that the police had visited the property on a number of occasions with limited results. Ms. Johnescu stated that she was aware that both Mr. Baugh and Mr. Nestlerode will continue to work toward putting this property back into some kind of conformity, and she was aware that it is a lengthy process. She offered to respond to questions.

LANDIS Ms. Landis asked whether any neighbor has had any conversations with the homeowners concerning the dog. She observed that it sounded like possible borderline mistreatment of the canine.

JOHNESCU Ms. Johnescu responded that the residents had attempted to talk to the homeowner and were sworn at.

LANDIS Ms. Landis clarified the address as 560 Quaker Road.

JOHNESCU Ms. Johnescu responded that the address was correct. She commended Mr. Baugh with the work in progress and hoped that there would be a way to expedite the process.

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- SCHENCK** Chairman Schenck asked Mr. Baugh whether he could add anything with regard to enforcement.
- BAUGH** Mr. Baugh responded that he thought the Judgment was about a month old. The Judgment was for putting up a structure which had no permit.
- SCHENCK** Chairman Schenck noted that it was getting to the point where it would cost the homeowner some money.
- JOHNESCU** Ms. Johnescu responded that it already had as there was a fine with the Judgment of slightly over \$1,000.
- SCHENCK** Chairman Schenck asked whether it had been paid.
- BAUGH** Mr. Baugh responded that it had not yet been paid but 30 days had not elapsed.
- SCHENCK** Chairman Schenck noted that the board was in the process of reviewing the pet ordinance and pets in general. The staff had been asked to review barking and nuisance type issues. There are laws that police can use. However, there did not appear to be an opposition to the township putting something additional in place. The most important element is enforcement. He expressed concern for the dog.
- JOHNESCU** Ms. Johnescu responded that there is no violation as long as a dog has shelter.
- LANDIS** Ms. Landis stated that she would personally contact the SPCA to see if there was something that could be done.
- JOHNESCU** Ms. Johnescu noted that she could not imagine that the dog was licensed or has its shots as she had never seen it removed for any length of time. She added that she appreciated the board allowing her to bring this to their attention as there are a number of neighbors who are feeling concerned and somewhat defeated by the entire matter.
- SCHENCK** Chairman Schenck thanked her for her presentation.
- BISHOP** Mr. Bishop commented on one statement that Ms. Johnescu mentioned where she had talked to police officers who responded and said that there was nothing that they could do. He noted that Chairman Schenck had commented that there are laws that can be enforced. He wondered if there was an issue that needed to be addressed at some level.

- HOLMAN** Mr. Holman responded that he and Chief Eshbach had met to discuss the issue.
- ESHBACH** Chief Eshbach indicated that there is nothing that the police officer can do. If the dog is barking and they come out to enforce a disorderly conduct statute, there is a citation, but that does not stop the dog from barking. They have no right to go in and take the dog.
- SCHENCK** Chairman Schenck indicated that was worth clearing up. That's what the Chief had mentioned at a previous meeting.
- JOHNESCU** Ms. Johnescu noted that the fact that it will be costing the property owner some money may be the means by which the dog will be placed in a different home.
- BISHOP** Mr. Bishop asked what it would mean if they were cited for disorderly conduct.
- ESHBACH** Chief Eshbach responded that it is a summary offense for which fine is set by the Magisterial District Judge. They pay the fine or choose to have a hearing. If the case is in the Magisterial or District Court, the Judge determines whether or not they're guilty of that offense. He noted that they had prosecuted some similar cases successfully and others unsuccessfully.
- BISHOP** Mr. Bishop asked whether the determination of issuing a citation or not would be up to the officer who responds.
- ESHBACH** Chief Eshbach responded that typically for one incident they do not prosecute. It has to be multiple times for a citation to be issued.
- JOHNESCU** Ms. Johnescu commented that there would be a record of when she had called the dispatchers.
- ESHBACH** Chief Eshbach responded that if she will let the Police Department know any time that it is going on they will respond and for her to call 911 to contact the Police Department after hours.
- SCHENCK** Chairman Schenck stated that there are some different ideas and issues the board is reviewing to apply teeth to some zoning laws and also to criminal law at the same time.

Cortleigh Drive – Traffic Calming

HOLLAND Ms. Stephanie Holland, 405 Cortleigh Drive, expressed her thanks to the board for the stop sign on her corner. She asked about the temporary speed tables. She thought that putting speed tables over on their side of Kingston or over by the park would not assist with the problem. She thought the planning was moving in the right direction and she was very happy with what had already been done.

HOLLAND Ms. Holland stated, in addition, concerning the pet ordinance that the more important issue is being a responsible pet owner and not the number of pets.

SCHENCK Chairman Schenck asked Mr. Luciani for an update on the traffic improvements.

LUCIANI Mr. Luciani responded that he and Mr. Holman had spent some time in the field on Kingston Rod. They agreed that the stop signs appear to be working well. There had been some concern of a potential long cue; however, he had only observed one or two cars between peak hours of 4:30 and 5:30 p.m.

HOLLAND Ms. Holland noted that she had seen about the same and that Cortleigh was not backed up at all anymore.

Kingston Road – Traffic Calming

LUCIANI Mr. Luciani stated that they are working on a long-term plan along Kingston Road with consideration being given to re-striping to not allow parking on St. Joe's church side of the roadway. They were contemplating the elimination of some crosswalks and they are coordinating with the church. In addition, he and Mr. Lauer are coordinating the use of temporary speed humps. A vendor is available and they are very inexpensive. The advantage of their use is that they can be placed to see if they work well in certain areas, and if they are effective, they can be installed permanently. One additional note related to whether or not the residents in the neighborhood agree with the use.

HOLLAND Ms. Holland questioned how far apart the temporary speed humps will be placed.

LUCIANI Mr. Luciani responded that they are normally placed no closer than 600 feet. He commented that the extra challenge is to figure out where they should be placed to be effective. Speeds will be monitored with the traffic equipment to evaluate the effectiveness. In addition there are discussions about adding signage.

HOLLAND Ms. Holland suggested that perhaps the process could begin in front of the school and churches and see how the speed humps impact that area. If that works then move to the area of the major problem.

- LUCIANI** Mr. Luciani responded that there was no magic solution because motorists will continue to speed and run stop signs. It is important not to aggravate additional problems, and that is what will be evaluated.
- HOLLAND** Ms. Holland expressed her appreciation for the work being done and for all the information.
- SANDMEYER** Robert Sandmeyer, 2625 Kingston Road commented on the roadwork being done on Kingston Road. He commented on moving the double yellow line out over to the curb a little closer and putting the solid white line down where the cars are parked. He had talked to his neighbors, who did not think it was a good idea because cars are not always parked there. He appreciated the work being done and was aware it would take some time to solve the problem.
- PICKARD** Matt Picard, 2485 Crystal Lane and Sundale stated he was glad to hear that the township was working on the problems on Kingston. He noted the speeds on Sundale are tremendous with only one stop sign on the roadway at Schoolhouse. He indicated there are a school and a daycare in the area. When school is in session there are school children walking in that area. There had been several accidents in the area of his home. He wondered if it would be possible to have a four-way stop sign at Cambridge and Sundale to minimize speeds on the hills. His main concern was the children in the neighborhood riding their bikes and walking to school.
- HOLLAND** Ms. Holland added that she had a discussion with Victoria Gross, the school Principal, who agreed with the need for flashing lights in the school zone.
- PICKARD** Mr. Pickard stated that he had contacted the state about the flashing lights. Keith Gillespie's office suggested that the state might approve a light which would help to slow down the traffic.
- HOLLAND** Ms. Holland stated that half the road doesn't even have sidewalk.
- PICKARD** Mr. Pickard added that because there are not sidewalks, the children are walking down half the road.
- HOLMAN** Mr. Holman noted that about four years ago a study had been done of Cambridge. He indicated that they will do another count and match it with the current situation.

GRIEST Bob Griest, 410 Meridian Lane, echoed that the traffic problem that had been existence for over 20 years. He elaborated on past attempts to solve the problem. However, the roads still remain like a race track. His next attempt will be to ask for a traffic light at Meridian Lane and Kingston Road.

SCHENCK Chairman Schenck thanked the residents and noted that the board was working on the problem.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had no changes to his written report. He asked whether there were any questions.

LANDIS Ms. Landis asked about the Meadowlands Pump Station and the response to DEP's request for additional information.

CRABILL Mr. Crabill responded that it related to the request for the planning that had come back. They are supposed to be digging for the Phase I Archeological dig.

LANDIS Ms. Landis brought forward a letter she had received concerning paving a road surface for \$35,000. The resident had included information concerning downgrading asphalt roads and thought some taxpayer money could be saved by doing a chip and seal road. Ms. Landis asked whether that would be feasible.

CRABILL Mr. Crabill responded that an oil and chip road basically would be destroyed very quickly with loaded tankers on it. The roads must be concrete.

LANDIS Ms. Landis thanked him for responding to the question.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that, with respect to the discussion on Kingston Road, when Haines Acres was built Kingston was the main corridor through the area. All the driveways come out onto Kingston, which now cause the difficulty of getting out onto the roadway. The latest housing development, Kingswood Estates, is built differently with the driveways going interior. It is important to move traffic through the township in a safe manner. The work is moving forward with some

temporary measures to determine the effectiveness. He noted that the warrants for Sundale were marginal for a four-way stop. They will do a traffic count there and stated also that there might be other tools to implement change in that area. Mr. Luciani commented on the school destinations and indicated that he and Mr. Holman will approach St. Joe's to see if they would participate in putting a flashing light system in place. They also want to explore moving some parking places at St. Joe's for better visibility.

LANDIS Ms. Landis observed Mr. Pickard's comment regarding sidewalks and asked how many blocks of sidewalks are missing.

BISHOP Mr. Bishop responded that the whole neighborhood doesn't have sidewalks from a certain point over to Haines Road.

Municipal Building

DVORYAK Mr. Dvoryak asked about his mention of a meeting held on July 9th with regard to moving forward on some estimates for a new municipal building expansion. He noted that Mr. Luciani had referred to municipal officials.

LUCIANI Mr. Luciani responded that it involved the police department, Mr. Holman and the architect. He explained that they met to determine the next step in contemplating site work, location, putting some costs together for engineering, etc. He noted that he should have referred to "unelected municipal officials" in his report.

DVORYAK Mr. Dvoryak asked how an estimation of site cost could be done if they don't really know what is going to be built.

LUCIANI Mr. Luciani responded that it would involve the survey and engineering work. The general location is known. It would be putting some time schedules together and coordinating civil site work with architectural, a timeline and costs.

DVORYAK Mr. Dvoryak noted that the board had approved spending a certain dollar amount to review an overall cost for this particular effort.

HOLMAN Mr. Holman stated that the next phase of this project would spend beyond that dollar amount. The purpose for moving ahead is to ascertain costs for any future work as a next step in the process. As the numbers are established, he would bring them back to the board to decide whether or not to continue the process.

DVORYAK Mr. Dvoryak asked at what point in that process the board actually reviews what is needed as opposed to what was designed.

HOLMAN Mr. Holman responded that staff had requested a review, and the scope had been reduced. There had been a combining of spaces.

LANDIS Ms. Landis asked how this had reared its ugly head again; as it seemed to have been dormant for some time.

BISHOP Mr. Bishop responded that the work to be done had been approved by the board.

LUCIANI Mr. Luciani commented that there are meetings regularly to advance projects; to bring everyone together to determine the next step. It typically happens for public works projects, building projects and plan reviews. Mr. Luciani noted that he reports to the board on any meeting he attends.

LANDIS Ms. Landis stated that she had reviewed the Comprehensive Plan and she had not seen anything long term about a new police facility or upgrade in municipal buildings. She wanted to know how the discussion began. She asked Chief Eshbach whether the police building worked and whether it was his recommendation that a new building be built. She asked for his thoughts.

ESHBACH Chief Eshbach responded that he had been requested to provide his thoughts about what the police department needs were, but whether or not it needed to be a new building would be up to the board. He stated that the process started with a discussion about the air conditioning, which was frozen. Repairs were needed. He added that he had done what he was directed to do.

LANDIS Ms. Landis asked who had directed him.

ESHBACH Chief Eshbach responded that the Township Manager had requested his input.

LANDIS Ms. Landis expressed her concern with the upcoming projects being explored, such as the Walter's property, the park and recreation improvements and a new fire building. A review of the revenues and expenditures from 2005 to 2009 provided by Mr. Hadge showed that from 2008 to 2009 the township had overspent the budget by almost \$800,000. She questioned how much would be spent just to continue with preliminary figures by First Capital and Buchart-Horn.

LUCIANI Mr. Luciani responded that he had not spent any effort on the municipal building other than attend one meeting to discuss progress going forward. Speaking for First Capital, his expenditures are zero.

DVORYAK Mr. Dvoryak recalled that the approval the board had determined some time ago was to spend up to \$50,000.

SCHENCK Chairman Schenck could not recall the exact number and asked Mr. Holman to provide that number for the board from his file.

DVORYAK Mr. Dvoryak indicated that there had been no decision to move forward with a building, and he questioned why something would be designed and finalize what it would look like before a decision or commitment was made to move forward.

HOLMAN Mr. Holman responded that the meeting was held to determine what a cost would be to design a building with a set of footprints so that he could bring that back to the board. At that point a decision could be made as to proceed or not. He added that during budget work sessions last year a discussion was held regarding the buildings, and one of the strategic plans was to look at rebuilding or replacing the police building. He was simply following through the strategic plan that the board had put into place and moving forward with that plan. When they come back with the numbers, then the board can make a decision as to whether or not to move forward.

DVORYAK Mr. Dvoryak noted that he was satisfied with the response.

Intersection Cameras

BISHOP Mr. Bishop asked about cameras in the intersections, which Mr. Luciani had mentioned as pretty successful. He asked whether there were downsides to going that route.

LUCIANI Mr. Luciani responded that he was relaying some of Mr. Lauer's information but he did not see any downside. He added information about the battery backups working well, and with the cameras they would report any signal light that was not working well. He indicated that the technology is very good and the reason they want to implement that in the construction material specifications is when a developer comes in at an intersection, they are required to install battery backups. Once the cameras are installed, there will be no concern about loop detectors or maintenance on any lights. In addition, the specifications will maintain continuity with Econolite.

5. CONSENT AGENDA

- A. Acknowledge Receipt of June 30, 2010 Treasurer's Report.**
- B. Board of Supervisors Regular Meeting Minutes – May 27, 2010.**
- C. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 14 in an amount not to exceed \$905,580.34.**
- D. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 12 in an amount not to exceed 234,953.45.**
- E. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 13 in an amount not to exceed \$103,464.**
- F. Regular Payables as Detailed in the Payable Listing of July 22, 2010.**
- G. LD-08-12 – Time Extension – Yale Electric – Plan Expires 8/25/10 (New Plan Date 11/25/10).**
- H. LD-09-03 – Time Extension – Rail Trail – Plan Expires 7/27/10 (New Plan Date 10/27/10).**
- I. SD-06-11 – Time Extension – 3308 Becker Tract – Plan Expires 7/25/10 (New Plan Date 10/25/10).**
- J. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 7/26/10 (New Plan Date 10/26/10).**
- K. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 8/26/10 (New Plan Date 11/26/10).**
- L. SD-08-03 – Time Extension – Pam Long – Plan Expires 8/25/10 (New Plan Date 11/25/10).**
- M. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 8/31/10 (New Plan Date 10/31/10).**

MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH M. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were none for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Approve Court Stipulation for Tax Refund Request for Parcel 46-JJ-21 (2006 – 2009)**

HOLMAN Mr. Holman noted that item A related to the York Suburban portion of the tax stipulation that was put on hold at the last meeting. Clarification had been provided, and it was ready for approval by the board.

Consensus of the board was to hold item 7A until documentation could be provided to refresh their memory of the matter.

B. Authorization to Execute Developer's Agreement between PFC York, LLC and Springettsbury Township for Maintenance of Storm Water System at 2960 East Market Street (Patient First Medical Office).

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE DEVELOPERS AGREEMENT BETWEEN PFC YORK LLC AND SPRINGETTSBURY TOWNSHIP FOR MAINTENANCE OF STORM WATER SYSTEM AT 2960 EAST MARKET STREET. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Award 2010 Road Materials and Resurfacing Project.

MR. DVORYAK MOVED TO AUTHORIZE AWARDING THE 2010 ROAD MATERIALS AND RESURFACING PROJECT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-05-18 – Market Street Commons Add-On Lots (Action)

BAUGH Mr. Baugh stated that he thought it might be helpful to look at the first two plans together. He indicated the plans were Market Street Commons and the Holiday Inn Express. Both plans were documented in July 22, 2010 briefing memorandums. Mr. Baugh reported that the plans were located at the southwestern section of Locust Grove and East Market, which is zoned Commercial Highway. He provided a PowerPoint presentation identifying the lots. The old Market Street Commons will be moved to an add-on lot, which previously was an office building and now will be a storm water basin, as well as a hotel constructed on the lot that includes the current storm water basin. There will be a three-story, 77 room Holiday Inn Express. The original plan for Market Street Common add-ons consisted of a lot for 30 townhouses, a lot for 247 mini-storage, and 1500 square foot office building. The revised plan simply replaces the office building with the storm water basin. The Planning Commission recommended the

plan to be approved with no conditions. Mr. Baugh pointed out that the plan went through in four months.

SCHENCK Chairman Schenck questioned whether the Zoning Hearing Board had reviewed the length of the building.

BAUGH Mr. Baugh responded that he was correct. He noted if the board acted on this plan, he would proceed with information on the Holiday Inn Express plan.

SCHENCK Chairman Schenck asked if there were any questions on the plan, which was recommended to be approved with no conditions.

LANDIS Ms. Landis noted that she had some questions, which Mr. Baugh had answered. She thanked him for helping her through her questions.

MR. BISHOP MOVED TO APPROVE LAND DEVELOPMENT 05-18, MARKET STREET COMMONS ADD ON LOTS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. LD-10-01 – Holiday Inn Express – 9/15/10 (Action)

BAUGH Mr. Baugh introduced the Holiday Inn Express plan, which proposed a 72-room, three-story hotel. He noted that a variance had been granted to extend the length of the building by 19 feet. The variance had been granted because the original intention of the ordinance limiting the length was because of long hotels, not high-rise hotels. Mr. Baugh provided a PowerPoint presentation showing an aerial view, footprint of the old drive in theater, site plan and road accesses. Planning Commission recommended several waivers and conditions as documented in the July 22, 2010 briefing memorandum.

BISHOP Mr. Bishop asked whether the variance was indicated on the plan. It was located on sheet four noting the maximum building length. He asked why there would be a maximum building length in the township zoning ordinance.

LUCIANI Mr. Luciani responded that it was to keep from our having an old Lincoln Highway motel-type building, which was stretched out over 600 feet.

BISHOP Mr. Bishop asked whether the zoning was only for hotels or just for any building.

LUCIANI Mr. Luciani responded that it specifically applied to hotels. He added that it was probably the third time that had received a variance.

SCHENCK Chairman Schenck commented that the subject might be worth a review even though there aren't a lot of hotels being built. However, he thought that the height or length ratio was something more what they were thinking when the ordinance was written.

MR. DVORYAK MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN 10-01, HOLIDAY INN EXPRESS, TO GRANT THE FOLLOWING WAIVERS, ITEMS ONE THROUGH FIVE AS OUTLINED IN THE JULY 22, 2010 BRIEFING MEMORANDUM; AND WITH REFERENCE TO LAND DEVELOPMENT PLAN 10-01, HOLIDAY INN EXPRESS, MOVED TO APPROVE THE PRELIMINARY/FINAL PLAN WITH CONDITIONS ONE THROUGH FIVE AS OUTLINED IN THE MEMORANDUM. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. LD-10-02 – Patient First – 10/16/10 (Action)

BAUGH Mr. Baugh stated that Patient First is a primary and urgent care medical services provider, which planned to place a building on Market Street, 6900 square feet with twelve patient rooms. This could be the first building in the new Town Center overlay. It had been reviewed in accordance with that. The site is located at the southwest intersection of East Market Street and Mill Street, and it's zoned Mixed Use. Mr. Baugh provided a PowerPoint presentation showing a view of the site, a photograph of the property next door to Citizens' National Bank, and across the street from Home Depot. The main entry to the site would be East Market Street with an access easement across Citizen Bank over to Mill Road. The drainage will be handled by an underground tank in the parking lot. He showed some before and after photographs. The Planning Commission recommended the plan with several waivers and conditions documented in the briefing memorandum.

SCHENCK Chairman Schenck asked where the water would go with underground storage.

LUCIANI Mr. Luciani responded that there is a storm water system on Market Street, which is the receiver for that area which flows from underneath Mill Street and connects to that Market Street storm system. It will need a PennDOT permit to connect.

SCHENCK Chairman Schenck asked whether there had been any affect on the plan with it being the first to go through under the new overlay.

BAUGH Mr. Baugh responded that it had affected the layout that was originally requested as far as the set back and parking.

LANDIS Ms. Landis asked about the timeframe for the easement agreement.

LUCIANI Mr. Luciani responded that would be in place prior to recording the plan. They need land from the adjoiner, and regrading for the apartment complex behind them. And before they record the plan, they must provide evidence that they have that agreement.

BAUGH Mr. Baugh noted that there are actually two agreements.

BISHOP Mr. Bishop asked whether there was any impact on the actual traffic movement at Mill Street.

LUCIANI Mr. Luciani responded that their traffic study indicated they do not need two points of access. There is a median on Market Street. If someone is traveling east they will have to go around the block to get in. They are discussing some access with Citizen's Bank, and while they do not need it, from a marketing standpoint, it would be advantageous to connect through Citizen's Bank. They are pursuing that connection.

MR. BOWMAN MOVED WITH REFERENCE TO LAND DEVELOPMENT PLAN 10-02, PATIENT FIRST, TO GRANT THE FOUR WAIVERS LISTED ON THE PLAN SUMMARY DATED JULY 22, 2010 AND WITH REFERENCE TO LAND DEVELOPMENT PLAN 10-02, PATIENT FIRST, MOVED TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE EIGHT CONDITIONS AS LISTED ON THE SUMMARY DATED JULY 22, 2010. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. A. Authorization to Approve Court Stipulation for Tax Refund Request for Parcel 46-JJ-21 (2006-2009)

SCHENCK Chairman Schenck stated that Mr. Holman had presented the documentation and refreshed the board's memory on the situation. The item related to the stipulation of tax refund request through Tax Collector, Mrs. Cousler, and some re-assessments.

MR. BISHOP MOVED TO AUTHORIZE APPROVAL OF THE COURT STIPULATION FOR THE TAX REFUND REQUEST FOR PARCEL 46-JJ-21. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

Composting – Waste Treatment Plant

LANDIS Ms. Landis asked Mr. Holman whether he had information with regard to the acreage that would be involved with stopping the composting at the Waste Treatment Plant. It was noted that the township would have to refund the current value of the land. She asked Mr. Holman if he had identified the acreage.

HOLMAN Mr. Holman responded that he would provide that information to the board on the total acreage.

Police Vehicle Maintenance

LANDIS Ms. Landis asked about the police vehicle that was sitting in Public Works with a transmission problem.

HOLMAN Mr. Holman responded that the vehicle (#3) with the transmission problem was repaired. There is a vehicle with an engine that was damaged as a result of a police officer driving it through a flooded roadway. A short block was ordered for that vehicle (#9) and will be repaired.

Public Works – Meet and Greet Staff

LANDIS Ms. Landis indicated that she had been waiting for a response from Mr. Holman and Mr. Lauer to meet the staff. She had emailed several times starting in June and would like to schedule a date and time to meet and greet the Public Works staff. She noted that it had become an issue that needed to go before the chair and the board since it had not been the policy for board members to meet with the staff. She asked whether there had been any resolution to her request. She had met with other staff members and felt that any supervisor should be able to meet any staff member.

BISHOP Mr. Bishop noted that during his tenure on the board that such meetings had never been done by the supervisors. He stated that he was not certain that it was a good idea for supervisors to communicate directly with employees when there are many other layers of management there that have other responsibilities. He stated it was something that the board needed to decide.

- LANDIS** Ms. Landis stated that there should be no need to have an approval to speak to an employee or go into a department. She noted that she was not giving them any direction. She thought that it would create a good atmosphere between employees and supervisors.
- BISHOP** Mr. Bishop responded that perhaps it might improve the atmosphere and perhaps it might not.
- SCHENCK** Chairman Schenck stated that all the board members were aware that when she came on the board, they supported her meeting with the directors to become familiar with what they do. He did not think that they were aware that the process had become a “meet and greet” activity.
- LANDIS** Ms. Landis noted that she was still working with the Fire Chief to meet with the other two shifts. She found it very appropriate and all the employees were very appreciative.
- SCHENCK** Chairman Schenck stated that the supervisors should know the names of the employees and be able to say hello and chat or visit. However, if and when it extends to the point of where it opens a line of communication that defeats the management structure of the township is where it would cross the line. He wanted to be certain that this activity would not set up an end around for employees to go around their manager or their direct supervisor, and their direct supervisor’s supervisor. In addition, with some of the departments it would involve a time commitment for those who are not normally in an office or an area for them to be available, such as for Public Works.
- LANDIS** Ms. Landis asked Solicitor Rausch whether this activity had to be approved by the board. She had researched the handbook and could not find a reference. She had spoken with other township supervisors in other municipalities, who indicated that there was nothing stopping them from stopping in the building at any time to check in and say hello.
- RAUSCH** Solicitor Rausch responded that there are no restrictions on a supervisor coming into the building at any time. The board would have to make a decision as to the direction.

LANDIS Ms. Landis added that she would welcome Mr. Lauer or any director to be there, as well as Mr. Holman. There is no problem. She concluded that she was waiting for a resolution.

York Waste Disposal/Recycle Bank Letter

LANDIS Ms. Landis reported that a letter was sent out from York Waste Disposal that reached the homes on Tuesday, July 20th. The letter stated that in order for the resident to be rewarded for recycling, they needed to put their bins out July 19th in order for them to come by and tag the bin. She noted that residents had asked her whether to leave their recycle bin out for the entire week, or pull it back and wait until the next week. There is some confusion and she just wanted to make the board aware of the issues.

HOLMAN Mr. Holman responded that no one had brought this to his attention. He will address it with the trash hauler. He added that the resident should take their recycle material back in and put it out the next week. He asked what area that involved.

LANDIS Ms. Landis responded that it was in the Pelham area. She also received her letter on the 20th.

SCHENCK Chairman Schenck added that they received their letter at his home on the 20th as well.

HOLMAN Mr. Holman noted that he will make sure that the residents get their sticker.

Budget Status

LANDIS Ms. Landis reported that she had been reviewing the budget report. She asked whether there were any budgetary concerns that Mr. Holman might want to bring to the supervisors attention as far as revenues are concerned. She asked for clarification as to the various revenue time frames.

HOLMAN Mr. Holman responded that he had just concluded his six-month review with all of the directors as part of his preliminary work beginning on the 2011 budget. He reported that the revenues are satisfactory to date. The \$18,000 will not be received from the Corps of Engineers as the Corps did not agree to sign that. However, in October or November that revenue will be cancelled as well as the appropriation as an offset. The intergovernmental revenues, based on the projections, will come in as anticipated.

- SCHENCK** Chairman Schenck asked whether there is a timing issue related to Ms. Landis' question.
- HOLMAN** Mr. Holman responded that some revenues come in at odd times. A revenue that only shows 10% at this time will change in October/November and will show 90%, and in January will add up to 100%. All revenues are counted through January 30th for specific line items for the fourth quarter.
- LANDIS** Ms. Landis asked whether the January revenues go into the 2011 budget.
- HOLMAN** Mr. Holman responded that it would be considered a deposit in transit and goes back into the 2010 budget revenue.
- LANDIS** Ms. Landis indicated she understood. She asked about the areas where year-to-date expenditures are exceeded. She wondered if Mr. Holman was looking at areas throughout the budget where revenue can be pulled. For example, in legal services which are at 95%, some funds would need to be shifted.
- HOLMAN** Mr. Holman responded that as part of the process they are addressing it. They will move funds from contingency to legal to cover the legal end. That is part of his review which is to make sure to balance the budget and stay within the overall appropriation budget. They will need to do some transfers, which is normal in any year. One item may be higher than anticipated and another will be lower than anticipated.
- LANDIS** Ms. Landis responded that she understood.
- DVORYAK** Mr. Dvoryak asked how much of a challenge it would be for staff if the board would want to see this, that one of the goals for next year would be to have reporting where there would be no guesswork as to how the revenues and expenditures are going throughout the year. He indicated that from his perspective it was difficult to see a budget report for a full year and results for six months and to determine whether there are any concerns. He asked whether it would be a reasonable goal.
- LANDIS** Ms. Landis responded that they have a reasonable goal. She added that businesses review their balance sheets monthly. She personally reviews theirs every other week.

- BISHOP** Mr. Bishop asked whether he was suggesting that this would be done both for revenues and expenditures.
- DVORYAK** Mr. Dvoryak responded that he was correct. He indicated that unless one knows the flow of the township money in and out, the timing differences or problems or windfalls are not clear.
- BISHOP** Mr. Bishop indicated he thought that might be a challenge on a monthly basis. Another option would be on a quarterly basis. It might be a lot of work, but that would be a question for Mr. Holman.
- DVORYAK** Mr. Dvoryak indicated there would be no need to hire a person to do that.
- HOLMAN** Mr. Holman agreed to look into the possibilities. They would go back into the MUNIS reports and other reports to see what is available, such as a comparison from year to year, date to date.
- BISHOP** Mr. Bishop noted that he thought Mr. Dvoryak was referring to actual budgeting according to the time period rather than budgeting a line item for a year and dividing by 12. He used taxes for an example, which almost always come in during this time of year, and that one line item would be weighted according to the month when they typically are received. It would be a lot more work.
- HOLMAN** Mr. Holman stated that a comparison from year to year could certainly be done and would be an interesting project.
- BISHOP** Mr. Bishop commented that the previous year comparison would be interesting.
- DVORYAK** Mr. Dvoryak added that it would at least reveal the money that is in place.
- BISHOP** Mr. Bishop commented that he didn't think that was what Mr. Dvoryak was requesting.
- DVORYAK** Mr. Dvoryak responded that it was not. He was basically asking about a monthly or a quarterly budgeting as opposed to annual budgeting.
- SCHENCK** Chairman Schenck stated that he thought the board would want Mr. Holman just to advise whether it's practical and feasible. The big items are relatively easy to understand, but whether that would be meaningful enough to swing the percentages would remain to be seen.

- HOLMAN** Mr. Holman indicated he could generate a written report advising on when specific line item funds in a revenue budget are received, and say that “based on previous experience, these funds come in at this period, this period, this period and this period.” That type of report had been provided to him when he first came to the township.
- BISHOP** Mr. Bishop noted that it would likely be easier to provide on the revenue rather than the expense side.
- DVORYAK** Mr. Dvoryak added that the biggest expense item is probably labor, which is probably fairly predictable.
- BISHOP** Mr. Bishop thought that would be flat and not change at all.
- SCHENCK** Chairman Schenck commented that it would be on the expenditure side where most of the activity occurred.
- BISHOP** Mr. Bishop mentioned road programs that happen at a particular time of year.
- SCHENCK** Chairman Schenck added an item such as park maintenance.
- LANDIS** Ms. Landis noted that some of the revenues are what was forecasted and would come in under budget.
- DVORYAK** Mr. Dvoryak stated that his challenge as a board member is that there are some important economic decisions to make. He would find it useful to have a sense of where the budget stands during the year. He commented that it was projected this year that \$1.7 of the reserve would be used. He asked if that was still an accurate number or whether more would be used. Looking at the current report he did not get a sense of the current status.
- HOLMAN** Mr. Holman responded that, based upon the review and working with Mr. Hadge, it is not anticipated that the amount of surplus will be used.
- SCHENCK** Chairman Schenck noted that, as a starting point, if Mr. Holman would do this review that there would be a way to share it. He suggested that he might do a quarterly or a mid-year recap. Chairman Schenck noted that it sounded like Mr. Holman was doing the work, and he has a handle on it.

HOLMAN Mr. Holman stated that he had been reviewing it every year to be sure he has a handle on his end and so that he knows what to reasonably budget for the next year. He has an idea of what's going to cancel and what will come in. For him it is simply doing his budget homework. Through his review with the directors he is aware of any surprises.

LANDIS Ms. Landis commented that was why she asked whether there were any major concerns that needed to be brought to the board's attention.

HOLMAN Mr. Holman responded that there were none. The township is in good shape unless there is some sort of unknown emergency.

E-mail Issues with Manager

LANDIS Ms. Landis expressed her frustration regarding a communication she had sent to the Manager with regard to the police department. The email communication had been transmitted on July 13, 2010 and she received no response. She debated with the board with regard to whether or not a member of the board had the right to question the Manager, in private or in public, concerning his duties as they relate to managing the township. It was noted that no board member has the authority to direct the Manager not to answer a question.

A lengthy discussion ensued and it was the consensus of the board to discuss the matter in an Executive Session in order to determine whether or not this was a personnel issue.

Fourth of July Celebration

DVORYAK Mr. Dvoryak thanked the staff for all the efforts on the Fourth of July event which he had attended. He thought everything went smoothly and was done very well. He issued special kudos to whoever was involved in selecting the entertainment this year, which was an excellent choice. He heard numerous comments speaking very favorably of Vocal Trash.

SCHENCK Chairman Schenck indicated that he, too, had received an extraordinary amount of compliments on the fireworks display. He understood that there had been some residual money from an earlier rained out event.

HOLMAN Mr. Holman responded that fireworks from the rained out event were used as part of these fireworks. The gentleman carried those fireworks over for this event, which made for a larger show.

SCHENCK Chairman Schenck noted that it was a matter of community pride.

HOLMAN Mr. Holman thanked the sponsors who helped offset the costs of the fireworks display.

Battery Backups

SCHENCK Chairman Schenck commented that, during the road tour, the power went out. There was a message about the battery backup on the signals. He just wanted to be sure that the fire police and volunteer fire company would be able to engage their offer for standby generators.

LAUER Mr. Lauer responded that he thought Milt's Repair Service had already checked out the generators. He offered to check on it.

YCEDC

BISHOP Mr. Bishop brought forward the subject of the certificate of membership in the York County Economic Development Corporation. Springettsbury Township must apply each year to be a member with zero dues; however, he was not certain that the township had ever decided to be a member or not.

Block Party

BISHOP Mr. Bishop commented on the block party issue, and felt certain that there was a board consensus to do whatever possible to make sure that the township is not standing in the way. Mr. Holman had mentioned that there might be a possibility of training someone internally to do traffic studies, and that seemed to be an excellent idea.

HOLMAN Mr. Holman stated that PennDOT offers that specific training, and some of the Public Works Superintendents and others could be trained to do the traffic studies.

BISHOP Mr. Bishop mentioned that other municipalities might want to use that service.

HOLMAN Mr. Holman responded that there are several other municipalities that have their people trained and he will be in contact with them. Springettsbury had always used the county service.

BISHOP Mr. Bishop added that he was not certain what might take place with the one in question this date, but hopefully there will be a way to make sure it wouldn't cost them \$260 to have their function.

SCHENCK Chairman Schenck questioned whether there was anyone on the board who wants this neighborhood to have to pay \$260 to be able to have a block party. He was aware that Solicitor Rausch would be writing an opinion on the subject.

RAUSCH Solicitor Rausch responded that he had made note of it and will write an opinion.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that on July 6, 2010, General Assembly Law Act 46-210 was signed into law. It was to amend the state's fiscal code pertaining to the finance of the state government. However, they added an article that was to bring relief to developers and applicants whose developments had been stalled during the present economy. They extended any building permit or approval such as Zoning Hearing Board or Land Development that would expire between December 31, 2008 and July 2, 2013. That expiration period would be extended. Solicitor Rausch stated if the board does nothing, the automatic suspension period will just run. There is another provision in the act that says a municipality can charge a fee to extend the approval, and it cannot be more than 25% of the original application fee.

An extended discussion took place which is summarized:

- Municipalities care about zoning and planning rather than the money aspect.
- Developers have incentive to extend if a fee is charged, but if not; their Building Permit will remain suspended for three years.
- Municipalities can charge a fee to extend an approval.
- The bottom line is to give relief to builders and developers.
- The subject was not discussed at the Local Government Advisory Committee.
- Municipal Managers discussed; some money can be charged.
- Interpretation coming from York County and municipal attorneys, but statute has passed.
- If a developer desires to renew, fee can be charged a renewal fee (25% of original fee but no greater than \$5,000). Plan will then be extended until 2013.
- Must be advertised by July 30, 2010.
- Review to be made of building permit and planning requests.
- Enforcement could be made through MPC.
- Resolution 2010-42 was drafted for review. Solicitor recommended adoption.

MR.DVORYAK MOVED TO ADOPT RESOLUTION 2010-42. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop suggested that Mr. Holman communicate with the Pennsylvania State Representatives and Senator the board's strong disagreement with this statute.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing in addition to his written report.

LANDIS Ms. Landis questioned a note that Sweet Willows will no longer be a full take but a partial take.

HOLMAN Mr. Holman responded that it meant that, based on recent discussions and a plan revision of the 24/124 plan, they would only take the back wooded portion of the property, which is in York Township.

LANDIS Ms. Landis asked whether there was any acreage indicated or whether it was just basically the back wooded portion.

HOLMAN Mr. Holman responded that it related to accessing the property from 124. They were advised that they would have to come through the carpet business parking lot to get to Sweet Willows. He did not have any documentation on it.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-40 – Designating Charles Lauer, Director of Public Works as Agent to Execute All Forms and Documents on Behalf of Springettsbury Township for the Purpose of Obtaining Financial Assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-40. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Advertise Ordinance Amending Chapter 325 “Zoning” of the Code of Ordinances to Update Article II; Definitions (Domestic Pet and Kennel)

SCHENCK Chairman Schenck brought forward the pet section draft of the township's zoning ordinance that was placed on hold. The information states that keeping more than four domestic pets will not be permitted except in the Rural Residential district where there is no limit.

A lengthy discussion took place which is summarized:

- Follow up work in progress on the owner's responsibility.
- Zoning Ordinance deals only with the number of dogs.
- Nuisances deal with state statutes and other means of compliance.
- Goal is to enact some type of regulation with true enforcement teeth.
- Previous reference to no more than three pets came from a prior attempt to define a kennel.
- Courts read the township's definition that kennels were a commercial use and could not be applied to a residential or non-commercial animals.
- Local government should not be limiting a number of pets in a resident's home.
- Pet issue traditionally a complaint-driven problem.
- Prior to adoption of any new ordinance, current pets would be grandfathered.

SCHENCK Chairman Schenck brought forward a potential solution which he had found in some other states. There is a tipping point number, for instance, four. If a resident wanted to have eight, they could apply for a permit, which would then add another layer to the behaviors. It would involve adequate facilities, neighbors who are not annoyed, with a yearly renewal. With kennel club's and breeders that seemed like a reasonable compromise. It was understood that there must be a number, but the responsible breeder or pet owner, would have a way to function.

BISHOP Mr. Bishop asked whether that sort of item could be enacted under Pennsylvania law.

RAUSCH Solicitor Rausch responded that he did not see why it couldn't. It indicates that the resident is allowed as a permitted use to so many animals, and if they want more there are some things to prove that meet health, safety, welfare, etc. He added that it would address Ms. Landis' concern somewhat in that it is not completely prohibiting a number.

SCHENCK Chairman Schenck noted that he did not think a responsible pet owner would have a problem with that. He offered to provide the entire law to the board to review.

HOLMAN Mr. Holman noted that any draft would need to be reviewed by the Planning Commission and then by York County followed by a public hearing with the Board of Supervisors.

DVORYAK Mr. Dvoryak noted that he thought the concept was moving a lot closer to dealing with irresponsible pet owners. He added that the board should continue to develop

a noise or nuisance ordinance with some enforcement teeth so that when problems or complaints about barking dogs do surface that the board can do the enforcement through monetary citations.

SCHENCK Chairman Schenck commented that he did not have any allegiance to references to day or night. He referred to individuals who work nights and need to sleep during the day. They need peace and quiet.

RAUSCH Solicitor Rausch asked Chairman Schenck to pass along his information for review.

SCHENCK Chairman Schenck indicated he would forward it to all the board members for their feedback before the Solicitor spends any time on it.

13. OLD BUSINESS

A. Wastewater Treatment Plant Odor Issues

There was no discussion.

B. Conservation Fund: Walters Property

SCHENCK Chairman Schenck apologized to Mr. Todd McNew for the late hour. He knew Mr. McNew had attended to respond to any questions by the board.

MCNEW Mr. McNew responded that he did not have any prepared remarks. He reported that he had attended several meetings with Mr. Holman along with Brenda Barrett, the Bureau Chief of the Department of DCNR, Pennsylvania DCNR that oversees their grants. He noted that he thought it spoke volumes in terms of DCNR's commitment and excitement about the project. Discussions continue with other potential funders. However, like DCNR, everyone is waiting to hear what the township will be willing to do.

HOLMAN Mr. Holman stated that he had provided a report to the board with regard to the information about the site and other documentations. He indicated it was a question of the board as to whether or not to participate, and if so at what level the township can afford. He had provided some options for funding as well.

SCHENCK Chairman Schenck indicated that Mr. Holman had provided a very comprehensive report to the board.

DVORYAK Mr. Dvoryak stated that he thought it was a project that 30 years from now will have been a great decision to move ahead. The immediate challenge is the funding and where the township can get the money. There are some concerns about coming up with \$1.2 million given the current balance sheet and the economic scenario of revenues, etc. A scenario of building 240 homes would be a cost to the township for infrastructure and services. He had been thinking about how to measure that. He proposed some figures that equated to \$544 per resident per year on expenses or \$500,000 per year in operating costs to sustain 240 homes in that location, which would be offset by property taxes generated from the 240 homes. He noted several things in Mr. Holman's report, all of which were reasons to consider moving forward. One item within the Comprehensive Plan was to attain more acreage for parks. Additionally there are issues with the adjacent property, Camp Security and whether that would have a potential impact. Mr. Dvoryak concluded that his primary concern related to the level of dollars that the township is asked to contribute.

LANDIS Ms. Landis added her concern of coming up with the funds without raising property taxes.

BISHOP Mr. Bishop agreed with Mr. Dvoryak and noted his concern with regard to the strings attached with developing the property into a park. He indicated that, if the expenditure could be made with flexibility going forward in terms of whether it is farmed or turned into a park, it was more appealing to him. He realized that Mr. McNew's job would be more difficult because of the DCNR strings; however, he hoped it could be kept simple.

SCHENCK Chairman Schenck stated that he thought it was a wonderful opportunity that, 30 years from now, would be considered a brilliant decision. His thoughts related to the ability to acquire the land, and at some point in the future there would be the opportunity to do something with it. He read that there was a three-year window in which the township would have to spend some serious money.

HOLMAN Mr. Holman indicated that after the initial investment the property can remain agriculture for three years. Following that DCNR will expect that there will be work done on some master planning with either a passive or an active park. He had forecasted some cost figures based on previous master planning in current dollar costs. They reviewed passive and active park and using sections as a watershed and for retention, etc.

- DVORYAK** Mr. Dvoryak asked whether the DCNR restrictions would remain in place regardless of how the township funds the cost.
- MCNEW** Mr. McNew responded that, as long as DCNR money is used to help purchase the land, the restrictions remain. He noted that generally DCNR does not allow any agricultural use on properties that they fund. That related to their wanting to assure that their projects are for public access, conservation of natural resources and there may be some conflict with an agricultural use. Mr. McNew offered to discuss the issue further to determine if there could be an extension. He added that there would be no requirement for the township to provide any specific level of infrastructure to allow for that public access. They would be perfectly happy to see it just be an open field for people to go out and walk around.
- SCHENCK** Chairman Schenck indicated that the township's position probably would be to put in place parking lots with ADA requirements in order to have appropriate public access.
- MCNEW** Mr. McNew responded that those improvements would not be driven by DCNR but rather by the township.
- SCHENCK** Chairman Schenck indicated he was not sure that those things could be avoided.
- BISHOP** Mr. Bishop noted that it would be by definition of "open to public access."
- MCNEW** Mr. McNew responded that it would be pretty broad.
- DVORYAK** Mr. Dvoryak asked what that might mean, such as to whether there would be "No Trespassing" signs on it.
- SCHENCK** Chairman Schenck noted that he thought the same thing.
- MCNEW** Mr. McNew stated that he thought all it meant was to be open to the public.

An additional lengthy discussion took place which is summarized:

- The land will be open for public access with no restriction.
- DCNR will want to see the township move forward with a master plan in three years.
- Sections will be used for watershed, some walking paths, and ADA requirements.
- Crop damage caused by public access.

- Property is not monolithic.
- By what process does the land become passive.
- Passive option still involves a lot of work.
- Similarity to North Hills Park without the dumping.
- Timeline – mid-September to complete due diligence; closing early November.
- Analysis to be done on leaving it natural with no paths, “greener park.”
- Purchase price is large; bare minimum price.
- Other local project in Adams County remains passive.
- If township commits to the match, the funding must be guaranteed.
- Townships portion \$1.25 million; DCNR match \$750,000.
- DCNR purchases land and then sells to the township.
- Grant agreement discussions with legal staff.
- Conservation Fund to raise a portion of the funding. Reactions are positive.
- Difficult to justify spending \$1.25 million.
- Central School District would be impacted if homes were built there.
- Financial review of six months to determine status of numbers, cost analysis and percentages.
- Final transfer of land would not take place until sometime in spring of 2011.

14. NEW BUSINESS

A. Request from PSATS for Resolution Opposing Forced Local Government Mergers and Consolidations.

MS. LANDIS MOVED TO APPROVE THE REQUEST FROM PSATS FOR RESOLUTION OPPOSING FORCED LOCAL GOVERNMENT MERGERS AND CONSOLIDATIONS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 10:45 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 24, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, June 24, 2010 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
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: George Dvoryak, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jack Hadge, Finance Director
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
David Wendel, Director of Parks and Recreation
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and noted it was a pleasure to see the room full of residents. He led the Pledge of Allegiance.

B. Check Presentation – Susquehanna Bank, Presenting Partner – Sounds of Summer Concert Series

SCHENCK Chairman Schenck noted that the Board was honored to have representatives from Susquehanna Bank present, who are a partnering sponsor for the Sounds of Summer concert series in the park. He asked David Wendel, Director of Parks and Recreation, to introduce the guests.

WENDEL Mr. Wendel stated the Sounds of Summer is Springettsbury Township's spring/summer concert series, which has a long standing tradition in this community. He introduced the following representatives from Susquehanna Bank:

Jennifer Pitts, Regional Sales and Marketing Coordinator
Reese Nepp, Regional Sales Manager
Crawford McFerrin, Senior Vice President, Susquehanna Bank.

SCHENCK Chairman Schenck recognized an additional representative of Susquehanna Bank, the newest member of the Board of Supervisors, Julie Landis. He indicated that it was great to have the sponsorship in the community, and expressed gratitude for the bank's participation. He added that credit goes to Mr. Wendel's efforts in promoting this program on behalf of the citizens with the Recreation Program.

MCFERRIN Mr. McFerrin stated that they were honored to be able to support the program and the entire series, and that his family has enjoyed it for many years.

SCHENCK Chairman Schenck thanked them for the sponsorship.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. May 27, 2010 – 6:15 p.m.
 - 1) Real Estate – Walter's Tract
 - 2) Personnel
- B. May 27, 2010 – 10:00 p.m.
 - 1) Real Estate
- C. June 18, 2010
 - 1) Personnel
- D. June 24, 2010
 - 1) Personnel
 - 2) Real Estate – Walter's Tract

SCHENCK Chairman Schenck announced several Executive Sessions as identified above. He indicated that no Executive Sessions had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

SCHENCK Chairman Schenck opened the floor for citizen comments.

SOWERS Luther Sowers, Chairman of the Township Historic Preservation Committee, provided a brief commentary regarding the proposal of Mr. Todd McNew to purchase of 116 acres of land presently owned by Mrs. Patricia Walters, the heir of former owners, Clair and Beatrice Rowe. He stated that it is the obligation of the township's Historic Preservation Committee to advise the board in respect to that which is deemed appropriate for community stability. Therefore, they asked for the Board's indulgence regarding the cooperative efforts in association with the Pennsylvania Conservation Fund.

SCHENCK Chairman Schenck thanked him for the commentary.

KLINEDINST Donald Klinedinst, 2580 Hartford Road commented on several items. He asked whether the results of a recent survey about employees parking on Hartford Road had been received. He wondered whether it posed a fire truck hazard.

HOLMAN Mr. Holman responded that Chief McCoy was unable to attend this meeting, and he may be aware of the survey reviews. He offered to get back to Mr. Klinedinst with a response.

KLINEDINST Mr. Klinedinst asked about building that is going on at the Eagle's Nest. He understood they were not permitted to expand the property and that they needed a variance.

SCHENCK Chairman Schenck asked Mr. Baugh whether he was aware of any building activity at the Eagle's Nest.

BAUGH Mr. Baugh responded that they have a permit to build a patio, as it was not an extension of the building. There had been an application filed for a deck, but the interpretation was that it was an extension of the building. The patio was not, and they did not need a variance.

KLINEDINST Mr. Klinedinst commented that he did not think there were enough parking spaces.

BAUGH Mr. Baugh stated that the parking requirements under the ordinance are met.

KLINEDINST Mr. Klinedinst asked whether they have to provide off-street parking for their employees.

SCHENCK Chairman Schenck indicated that the law states that they have to provide the number of spaces based on the use of the building, which Mr. Baugh indicated that they have. However, as previously discussed, people cannot be forced to not to park on a public street.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart-Horn, Inc.

CRABILL Dennis Crabill provided his written monthly report to the board with updated photographs of work being done. He asked whether there were any questions.

LANDIS Ms. Landis noted that she did not like to see the Change Order.

B. Civil Engineer - First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided his written report. He reviewed the following issues:

- North Hills and Industrial Highway
 - The louvers had been adjusted by PennDOT.
 - Mr. Holman received a letter from PennDOT closing out the permit at North Hills Road. The change is not significant but it will assist the motorist and it meets PennDOT requirements.
- Rain Storm – Yorkshire Elementary
 - Although Yorkshire Elementary spent a significant amount of money redirecting water around the intersection, it does not appear to have solved the problem during that storm. He noted it may be a challenging problem to solve.
- Traffic Issues – Kingston and Cortleigh
 - Mr. Luciani referred to the TRG packet attached to his report. He noted that TRG assisted with the analysis to determine computations in order to meet the warrants which have been met for a multi-way stop.
 - The level of service at the Cortleigh was assessed at a level of a C to a B which improved the ability for vehicles to turn out of the intersection with the multi-way stop.
 - The analysis also computed the maximum queue length which is east bound 77 feet; (equal to 3-4 four car lengths) west bound 53 feet and north bound, 56 feet.
 - Mr. Luciani indicated that Mr. Holman has an ordinance drawn up to present to the Board to consider a multi-way stop at this intersection due to the speeding problem in that area.
 - He noted there is consideration given to adding a bike lane, with discussion held as to the issues and obstacles that would need to be addressed in order to accomplish this.
 - Also discussion about adding a median as well as a round about.
 - He noted adding these extra features could result in a 6-12 month implementation schedule.
 - Other improvements to the site included the following:
 - Signage
 - Highlighting pedestrian crossings
 - Street trees which would be implemented by the adjoining home owners
 - Temporary traffic calming facilities including traffic circles and chicanes
 - Mr. Luciani discussed an alternate traffic marking plan which would not only implement the multi-way stop, but would maintain the parking on the North side. That would be to add a dedicated parking lane on the North side of the road to give the appearance of a narrower lane, and there would be two 11 foot lanes. He noted this work could be done in house, with the biggest challenge to eradicate the center line and put in white lines. The implementation would be for 60 days with a flashing beacon on the signs, and then remove it. Mr. Luciani stated that although it may not solve the

entire problem along Kingston Road in regards to the speeding problem, it would create a change that could be implemented rapidly.

SCHENCK Chairman Schenck questioned the removal of the yellow line.

LUCIANI Mr. Luciani stated it was necessary since it is in the center on a 30 foot cart-way. Because the centerline is currently at 15 feet, the parking lane is about 7 feet, which leaves an 8 foot travel lane. During events where cars are parked on Kingston Road it necessitates passing cars to go on the other side of the yellow line to get down Kingston Road.

SCHENCK Chairman Schenck questioned whether evaluation was done for additional speed limit signs.

LUCIANI Mr. Luciani confirmed that was done and additional signs are needed.

SCHENCK Chairman Schenck questioned if Mr. Luciani would have a full report for the next meeting.

LUCIANI Mr. Luciani confirmed he would and that the Board could act on the multi-way stop for this intersection without incurring a significant cost or a long term implementation.

RAUSCH Mr. Rausch questioned the temporary speed humps as to where they would be placed.

LUCIANI Mr. Luciani indicated they would typically be placed mid-block where vehicles would be traveling at peak speeds. He clarified they are more of a speed cushion than a speed hump.

Additional discussion was held:

- The crossing walk at Kingston Road:
 - The location of the street crossing at Maywood.
 - The feasibility of putting a crosswalk at the main entrance to the church and school, in between Ivory and Quaker. It was noted in order to allow it a section of the street would need to be prohibited for parking.
- The purchase of speed cushions. It was noted they can be removed in the winter to avoid problems with snow plowing.

SCHENCK Chairman Schenck called for the direction of the Board. The Board expressed that they felt the plan was headed in the right direction, and agreed to have Mr. Luciani move forward. The Board also expressed interest in having Mr. Luciani implement the plan on the western part of Kingston Road. Discussion was held on how to begin the implementation.

HOLMAN Mr. Holman indicated that a line painter is scheduled in approximately three weeks to begin some of the township's line painting work. If the board is in agreement the line painter could begin relocation of the double yellow line and parking or fogging line.

Consensus of the board was agreement with the line painting.

SCHENCK Chairman Schenck questioned the changing regulations with the Conservation District.

LUCIANI Mr. Luciani confirmed that a meeting was held and he was confident they would be receiving an agreement with the conservation district as to what the township's responsibilities are, as part of the MS4 requirements.

LANDIS Ms. Landis questioned about the stop bars on Druck Valley and Mount Zion from the May 14th Board Meeting.

HOLMAN Mr. Holman indicated he called the State which indicated that within the next two weeks they will be doing the one inch overlay from Route 24 down Druck Valley to almost Sherman Street. He noted there are supposed to be lines painted along with the stop bars.

BOWMAN Mr. Bowman commented as to whether the railroad was putting in the macadam on North Hills Road.

LUCIANI Mr. Luciani stated that this was discussed at the traffic safety meeting as far as the degradation of the rail at grade crossing. He noted they will be contacting Norfolk-Southern to inquire about a permanent fix.

HOLMAN Mr. Holman added some of the problem with Norfolk Southern is North Hills Road is the detour route for the Eberts Lane/Sherman Bridge. This would require that PennDOT would need to get permission for repairs which would require shutting the road down for a period of time to replace the unit below. They are trying to work that out with the PUC and Northfolk Southern to stay on top of it.

5. CONSENT AGENDA

- A. Acknowledge Receipt of May 31, 2010 Treasurer's Report.
- B. Acknowledge Receipt of May 18, 2010 York Area United Fire and Rescue Commission Meeting Minutes.
- C. Board of Supervisors Work Session Minutes – April 15, 2010.
- D. Board of Supervisors Regular Meeting Minutes – May 13, 2010.
- E. Board of Supervisors Public Hearing Minutes – May 27, 2010.
- F. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 13 in an amount not to exceed \$772,613.54.

- G. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 11 in an amount not to exceed \$51,196.50.
- H. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 12 in an amount not to exceed \$100,440.
- I. Regular Payables as Detailed in the Payable Listing of June 24, 2010.
- J. LD-10-02 – Time Extension – Patient First – Plan Expires 7/16/10 (New Plan Date 10/16/10).

LANDIS Ms. Landis requested that item C be removed.

MR. BOWMAN MOVED TO APPROVE CONSENT AGENDA ITEMS A,B,D,E,F,G,H,I,J. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis requested the following sentence be added, “Ms. Landis asked when the township would be discussing the employee policy manual. Mr. Holman responded that it would not be discussed at this time and that there would be another date and the benefits would be addressed at that time.”

MR. BOWMAN MOVED TO APPROVE BOARD OF SUPERVISORS WORK SESSION MINUTES APRIL 15, 2010 AS AMENDED. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

- A. Authorize Payment to York Area United Fire and Rescue for County of York 911 Radio Equipment in the amount of \$29,634.77

HOLMAN Mr. Holman stated that this was originally budgeted in 2006 and 2007. He noted the 911 project was delayed over the years, but the money was put into the capital fund in anticipation of the bill. This is the last bill to go through YAUFRR channel. However, because these were budgeted prior to YAUFRR coming into existence, Spring Garden is paying for their share and Springettsbury Township is paying for its share. Anything in the future will be the 55/45 split. It was also noted that the Volunteer Fire Company purchased radios with their own funds.

MS. LANDIS MOVED TO AUTHORIZE PAYMENTS TO YORK AREA UNITED FIRE AND RESCUE, COUNTY OF YORK 911 RADIO EQUIPMENT IN THE AMOUNT OF \$29,634.77. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- B. Authorize Payment to County of York for EMS 911 Radio Equipment in the amount of \$7,370.75.

HOLMAN Mr. Holman noted that this was the same circumstance for the EMS equipment and that it would not be a YAUFRR expense.

MR. BOWMAN MOVED TO AUTHORIZE PAYMENT TO COUNTY OF YORK FOR EMS 911 RADIO EQUIPMENT IN THE AMOUNT OF \$7,370.75. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Approve Change Order Request No. 7 – Conewago Enterprises (General) – BNR Project for a total amount not to exceed \$138,159 (as outlined in the June 16, 2010 memorandum from the Wastewater Treatment Director).

SCHENCK Chairman Schenck confirmed with Mr. Crabill that the change orders were all approved and implemented.

CRABILL Mr. Crabill responded affirmatively.

LANDIS Ms. Landis pointed out that on Item 7 and 8, the added roadway at the Operations Building is costing \$35,000 dollars. She asked Mr. Crabill why the expense was so great.

CRABILL Mr. Crabill indicated that a sub-base and a dump pad area are necessary which generates much of the cost.

SCHENCK Chairman Schenck stated that the total is \$138,159, which is weighted against a \$17 million dollar project. He pointed out it is not a huge percentage.

MR. BOWMAN MOVED FOR AUTHORIZATION TO APPROVE CHANGE ORDER REQUEST NO. 7 – CONEWAGO ENTERPRISES (GENERAL) – BNR PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$138,159. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Canine Care Agreement

SCHENCK Chairman Schenck stated the Board of Supervisors asked the Manager to work with the Police Officer and the police union to come up with an acceptable agreement in regards to moving forward with the canine program

HOLMAN Mr. Holman stated that the bargaining unit, Officer Bill Polizzoto, and he as the negotiating team with both attorneys have concurred that this will be the proper agreement. He noted it meets the FLSA on management rights, management control, and also protects Officer Polizzoto and the canine. Mr. Holman confirmed this would be the only agreement.

The following points were discussed:

- The cost of the dog is \$6,598.

- The insurance costs of \$2500 a year cover canine liability, general liability, police liability and \$500 dollars for the death and injury liability. This is included in the contract and is standard cost for a canine unit.
- The total cost is approximately \$19,000 per year and costs are split among specific areas, i.e., insurance areas, auto repairs, etc.
- Mr. Holman explained how he arrived at the estimated cost.
- The Township will not receive reimbursement for out of township calls, this is part of the mutual aid agreements throughout the townships in York.

POLIZZOTO Officer Polizzoto reviewed the following points of discussion:

- The dog is currently certified for narcotics detection. He will be trained and certified in other areas, i.e., tracking and protection work.
- The certifying agencies include Berkhouse Kennels, the Pennsylvania Police Canine Association, and North America's Police Work Dog Association.

MS. LANDIS MOVED TO APPROVE AND EXECUTE THE CANINE CARE AGREEMENT. MR. BOWMAN WAS SECOND.

BISHOP Mr. Bishop requested to hear input from Dave Eshbach, Chief of Police, on this issue before final approval.

ESHBACH Chief Eshbach indicated his approval of the agreement reached. He noted the dog will be certified in every aspect as the previous dog. Approval of the program will enable Officer Polizzoto who has worked with the dog over the last year and a half to two years training and preparing the dog for service and ultimately certification. Chief Eshbach conveyed that he felt very confident that the dog will be certified and indicated he has watched the dog (Petro) perform, noting he is very impressive, especially in the canine narcotics area. Petro would not be allowed to do certain things until he is certified.

RAUSCH Solicitor Rausch asked if there are any other police departments that have a canine unit in the county.

ESHBACH Chief Eshbach responded there are a total of four including Springettsbury. He also noted that Newberry Township had a dog with a medical problem that was taken out of service.

MOTION UNANIMOUSLY CARRIED.

C. Authorization to Approve Court Stipulation for Tax Refund Request for Parcels 46-JJ-21 and 46-18-72 (for the years 2006-2009)

HOLMAN Mr. Holman indicated he is recommending approving the Central School District Tax Refund request. However, he recommended holding on the York Suburban approval since he was aware there were questions. Mr. Holman clarified the reason the township is approving Central School District is because it allows the

tax collector to make the refund on the township's behalf. He noted that York Suburban will be presented at the next meeting with additional information as a result of research done by Mr. Hadge, since it was unclear as to their intent.

BISHOP Mr. Bishop asked for clarification on the two parcels for York Suburban and Central.

HADGE Mr. Hadge explained one parcel is in the York Suburban School District, and the other Parcel is in the Central York School District, resulting in a differentiation in tax amounts.

MR. BISHOP MOVED TO APPROVE THE \$1,293.26 TAX REFUND FOR CENTRAL SCHOOL DISTRICT, IN ACCORDANCE WITH MR. HADGE'S MEMORANDUM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-09-02 – Harvey Subdivision – 6/30/10 (Action)

BAUGH Mr. Baugh provided an overview of project No, 09-02 as documented in the June 24, 2010 Briefing Memorandum, via a PowerPoint narrative which showed the description of the property, location and zoning as well as an overview of the site. He reviewed planning recommendations, noting 1-9 stands and 10-13 recommending no street lights with a 6 month note on curbs gutters and sidewalks; also 13 street system, plan recommendation, one design, a site plan, and provided photos of the site off Whiteford Road and 11th Avenue.

He stated that the project is located between Route 30 and I-83 between Sherman Street and North Hills Road on the west. The subdivision plan proposes creating six lots for single family houses, lots will range from slightly less to a quarter acre in size to about 4/10 of an acre in size. There is also a proposal for the 7th lot 2A, that will just correct a driveway infringement problem. The zoning of the project is R7 and it is surrounded by commercial highway, flexible district, and general industrial.

Mr. Baugh stated the Planning Commission recommended waivers one through nine, which relate to the size of the subdivision. Additional waivers 10-30 included the following:

- Not installing street lights due to glare to travelers on Route 30
- Six month note for curbs, gutters and sidewalks
- Widening will only be on the side of the development.
- Administrative issues relating to signatures, signals, and financial agreements.
- A correction to plan sheets due to a design issue.

Mr. Baugh pointed out the site plan with lot number one in the middle which contains an existing home and lot number 2A which corrects the driveway

infringement. He provided various photos of the project which illustrated the driveway on Whiteford Road that Lot 2A corrects and the house that will be retained on lot 2, resulting in four new building lots. He noted the revised motion which addressed the street lights which was inadvertently left out of the briefing.

SCHENCK Chairman Schenck questioned the Planning Commission's total waiver of sidewalks with the six month note.

BAUGH Mr. Baugh stated that he, Attorney Ehrhart and Mr. Luciani discussed this and were in agreement with the decision of the Planning Commission.

SCHENCK Chairman Schenk commented that the plan referenced an inordinate amount of storm water maintenance issues and asked if there was heightened concern regarding the inspection.

BAUGH Mr. Baugh did not feel there was, noting that due to the size, a detention basin was not practical so each lot has its own storm water control.

SCHENCK Chairman Schenk expressed concern with neighbors not understanding the impact to the surrounding neighborhood with individual stormwater control.

LUCIANI Mr. Luciani indicated that this plan falls under the threshold established by the stormwater ordinance and MS4 requirements which permits this type of stormwater control.

SCHENCK Chairman Schenck stated that a mechanism should be in place to inspect the storm water after completion of the project.

LUCIANI Mr. Luciani confirmed that the developer is required to have an inspection as part of their escrow to make sure they are built.

BAUGH Mr. Baugh indicated that the applicant was present to answer any questions.

BISHOP Mr. Bishop asked for further clarification on the reasoning behind waiving the sidewalks.

MACNEAL Attorney MacNeal, representing the applicant, explained that one of the concerns discussed with the Planning Commission was the fact that the area involved is an older existing neighborhood and this is the last piece of land to be subdivided and developed. She noted there are no existing sidewalks anywhere within this residential development which is bounded by the Whiteford Road and Route 30, and I-83 over to Sherman Street. Because it is fully developed it is not likely to have a future plan to install sidewalks. However, she indicated the applicant was in agreement with putting the six month note on the plan in the event that circumstances would change in the future.

SCHENCK Chairman Schenck noted that the right of way is already on the plan with curve line and sidewalk right of way, if needed.

LANDIS Ms. Landis questioned the meaning of the six month note.

BAUGH Mr. Baugh explained that it is a note that is placed on the plan which mandates if the township gives the property owner six months notice, the property owner has to install the sidewalk. He clarified that a township can require this whether there is a six month note or not.

LANDIS Ms. Landis commented that she was concerned that approving the waiver for the sidewalks was not in adherence with board discussions on maintaining and creating sidewalks.

BAUGH Mr. Baugh stated in his opinion this related to a different situation, noting that this site is surrounded by commercial and a sidewalk would be out of place in this neighborhood.

MACNEAL Attorney MacNeal stated that the closet sidewalk in the vicinity of this parcel is on the other side of Sherman Street along the Kinsley industrial development.

BAUGH Mr. Baugh stated if sidewalks were required for this neighborhood, the township would be required to inform every home owner to install sidewalk.

MACNEAL Attorney MacNeal further stated this is a typical R-7 district which is a small lot single family district, with affordable starter homes. There would not be a great amount of road frontage in this particular situation.

MR. BISHOP MOVED WITH RESPECT TO SUBDIVISION PLAN SD-09-2, HARVEY TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE 13 WAIVERS AND MODIFICATIONS LISTED ON THE REVISED MOTION. MR. BISHOP FURTHER MOVED TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE NINE CONDITIONS LISTED ON THE SAME REVISED MOTION DOCUMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

SCHENCK Chairman Schenck stated he received a complaint for trash pickup in the Yorklyn area. He noted the week prior the recycling was not picked up until Monday when their pick up day is Friday.

HOLMAN Mr. Holman stated he was not aware of this complaint.

BOWMAN Mr. Bowman asked if the township has a policy in place concerning shutting off a block to traffic to hold a block picnic in a neighborhood.

HOLMAN Mr. Holman stated the township does allow it, however, one of the requirements is that a traffic study must be done in order to shut off a public road. Although the county used to do it for free, they are now charging \$200 for that service. Mr. Holman stated the township's fee is \$25 but the county has added on this additional cost. He also noted the traffic study must be done annually to look at the conditions at the time the street is closed down.

SCHENCK Chairman Schenck questioned whether the township ordinance requires a traffic study.

HOLMAN Mr. Holman indicated he would need to have Mr. Luciani conduct a review to determine the requirements to close a public street and report to the board next month.

LANDIS Ms. Landis indicated she had a visit from former supervisor William Walters who presented her with a historic scrapbook. Ms. Landis questioned if there is a resolution in place that honors service and time commitment of previous supervisors who have made an impact in the township.

SCHENCK Chairman Schenck stated that a resolution is drafted to honor a supervisor when they leave the board. He was not sure how far in the past this had been done. It was determined that this should be researched to make sure no one was missed.

LANDIS Ms. Landis commented that she had some ideas to implement it.

SCHENCK Chairman Schenck asked Mr. Sowers if his committee would be interested in taking on this project, specifically for Mr. Walters in recognition of his tenure as supervisor.

SOWERS Mr. Sowers agreed.

10. SOLICITOR'S REPORT

RAUSCH Mr. Rausch stated he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated in addition to his regular report, he received a request from the TLC Television channel to video a couple walking in the park. He noted that TLC is doing a reality show following six couples to see how their relationships go. He noted that Mr. Rausch is reviewing their hold harmless agreements and insurance. Although Mr. Holman did not think an approval was necessary to do the video, he wanted to make the board aware of it.

HOLMAN Mr. Holman reported there are several requests for tax reimbursement which Solicitor Rausch had reviewed. Mr. Holman indicated he will be meeting with Solicitor Rausch as well as each of the requestors and will report to the board. He noted that several of them are significant dollar amounts.

LANDIS Ms. Landis commented that while reviewing the budget report she noted the recommendation to hold off on replacing or purchasing the Intrepid, and one of the police vehicles. She noted that the contingency fund has \$60,000 dollars, which to her understanding represents the emergency savings account for unexpected expenses. She questioned why the township would not want to pull some of the funds from that account if the township is obligated to pay the tax refunds. Ms. Landis expressed concerned regarding an issue she heard about with a police car in need of maintenance and/or repair, and whether this would hinder the police department if the Board of Supervisors held off on not purchasing a police car.

ESHBACH Chief Eshbach stated if the car is repaired they would be okay for the remainder of the year.

LANDIS Ms. Landis questioned if the contingency fund is specified for a particular expenditure.

HOLMAN Mr. Holman stated the contingency fund is usually transferred at the end of the year for those funds that go over and above the anticipated allowance. Some of it is used for salary and wages, since salary and wage money for raises ends up in that line item. However, Mr. Holman noted there would be charges against the contingency in the near future.

LANDIS Ms. Landis asked for explanation on the year ending budget for general liability as to the budgeted amount of \$79,000, and currently it is shown at \$269,000 expended.

HOLMAN Mr. Holman indicated he would research that item and report back to the board.

12. ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 2010-07 – Establishing a Multi-way Stop Control at the Intersection of Cortleigh Drive and Kingston Road

MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE NO. 2010-07. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. Wastewater Treatment Plant Odor Issues

SCHENCK Chairman Schenk reported that Mr. Luciani provided a brief in Executive Session on the Walters Property and the progress as it relates to the township financially. He noted that Mr. Dvoryak asked that the wastewater treatment plant odor issues remain on the agenda.

HOLMAN Mr. Holman noted that Mr. Hodgkinson advised him there had been no complaints since the previous meeting.

14. NEW BUSINESS

REINER Mr. Mike Reiner, Auditor, referred to two audit reports - , the township audit report for the year ending December 31, 2009, and the Sewer Audit report. He noted the Sewer Operating Audit Report was done in accordance with the Intermunicipal Agreement, which provides the operational numbers for billings. Mr. Reiner indicated he would review the township report, noting he met prior to this meeting with Ms. Landis and Mr. Bishop to review the report in detail. He noted the following points:

- The audit opinion on page 1 incorporates the financial statements as a whole.
- The 4th paragraph references the fact that the management discussion analysis document, pages A through J, is the development and management and is not an audit document.
- It provides comparative analysis information as well as pie charts related to revenue analysis and expense analysis.
- It gives financial highlights as drafted by Mr. Hadge and Mr. Holman.
- The actual audit report begins on page 1 and is the consolidated audit statements of the township, consolidating the entire township into two columns, governmental activities and business type activity which is the sewer operations.
- The township has 9 governmental activities which are presented in a consolidated format, as detailed on page 4.
- Page 3 provides the statement of activities, which shows that this year the township operated on approximately \$23 million of expenses between all of its elements.
- Next is a series of revenues called program derivatives which are subtracted to arrive at a net cost.
- At the bottom of page 3 are the general revenues. The general revenues under GASBE are defined as real estate property taxes. All of the other aside taxes are Business Mercantile Earned Income Taxes and investment earnings as well as miscellaneous revenue category.
- The governmental activities had a decrease in net assets. The business type activities had an increase in net assets for the year.
- Page 4 is a breakdown of the governmental activity with a break out of major funds. There are 9 elements in government activity and they are required to

report on all major funds. The township's general fund is the only calculated major fund. The township has elected, based on past reporting practice, to include the capital improvement fund and the grant fund as a major fund as well, that is represented on this page as well as through following pages of information.

- The General Fund on page 4 is the primary Operating Fund which breaks out the ending fund balance, which is undesignated for the township. This represents just over \$1.6 million of remaining reserve funds.
- The Operating Schedule on page 6 goes into the breakdown of the major funds and shows the General Fund total operations. The six funds make up the non-major funds located in the back of the report. The detail analysis of each fund combined into these totals is provided.
- The General Fund this year had a deficit which was less than anticipated, since the township budgeted for a larger deficit. The actual results came in substantially less because of the nature of the township. The township is historically budgeted very conservatively for revenues and aggressively for expenditures. 98% of the total budget was expended which means there was less than 2% of unspent budget expenditures, but revenues came in above the anticipated levels showing conservative budgeting.
- The fire fund was over budget this year, due to appropriated capital purchase for YAUFRR for new equipment. That money was disbursed from the township late in the year and was an unanticipated expenditure.
- Page 8 identifies the business type activity for Sewer Fund operations, which there is only one. The operations schedule this year is inflated since the township was awarded a large capital grant, which is reflected on the schedule on page 10. At the bottom of the page is reflected a large capital grant which increased the bottom line profit of the township in the sewer fund. It is the excess of revenues over expenses for the year. The million dollar grant that was awarded to the township is reflected. It was not received by the township prior to year end, but was based on expenditures incurred by the township prior to December 31st. The board also approved a grant audit related to that million dollar grant, which was submitted previously.
- The township has a series of funds they are fiduciary responsible for which are the pension funds, shown on page 12. There are four pension funds, as well as two private purpose trust funds. The escrow agency fund is also presented in detail as the same method of the county on this page.
- All pension funds of the township have improved over the previous fiscal year.

Mr. Reiner provided a highlight of the last page of the notes because it provided a substantive event note disclosure on Page 35 that took place due to the fact that the township issued new debt for a sewer project in March of 2010. The first 30/40 pages are the required schedules. Mr. Renier stated that the budget is audited after the township has completed the budget process.

Mr. Reiner stated there are two additional communications as part of the audit processing at the back of the report. He commented it was a good year for the township as far as from an operations point of view. The township came in under the budget deficit amount substantially because of the revenues so it does reflect well from that perspective.

BISHOP Mr. Bishop requested that Mr. Reiner summarize the deficiencies mentioned in his letter for clarification.

REINER Mr. Reiner responded that the letter of comments related to some of the deficiencies found during the audit process. One was related to the Tax Collector, since information requested from the Tax Collector was not provided, necessitating obtaining more research information through the township. He noted the taxes are not always turned over timely, and there were disbursements out of her tax collector account for refunds that she did not provide to the township. There was money turned over to the township that they had questions on as far as how she reported it. Although they were reported as far as tax revenues go, part of her tax collector obligations is to submit a tax collector report, and there was a point where she turned over money that was not included in her report. As part of reconciling her records, they became exceptions to the rules and exceptions to reconciling her total numbers. They were not large dollar amounts, but they were exceptions for which they requested detail that was not provided.

BISHOP Mr. Bishop asked for clarification on the numbers.

REINER Mr. Reiner indicated in the previous audit requested there was approximately \$120,000 of taxes that were not explained. Another audit firm came in and did a forensic audit of her records, and they determined the dollar amount. She did turn over that dollar amount to the township, but she never provided the detail list of what taxpayers that money related to, which they requested. So now at the end of this year, they requested that she provide a reconciliation of \$27,000 of taxes in that account.

Mr. Reiner indicated that although the dollar amounts have come down substantially, they still have issues with the reporting and reconciliations. He noted there is continuing work on the township side to reconcile the records, creating more issues since there are numerous small dollar numbers on the books.

RAUSCH Solicitor Rausch noted that normally her account at the end of the year should be close to zero.

REINER Mr. Reiner concurred, noting that as of January 2010 there was \$27,000 sitting in that account.

Mr. Reiner stated the other item is related to the county aid reporting. The township prepares a MS999 report to PennDOT for road project funding. As part of the reporting the township was using both liquid fuels and county aid money to do those projects. However, the expenses were all paid out of the state liquid fuels funds so that \$95,000 of county aid money received should have been used to pay some of those expenses. Subsequently after year end, the township had to reimburse the liquid fuels fund the \$95,000. Mr. Reiner indicated that PennDOT prefers that the bills be split when paying them rather than reimbursing at the end of the year or actually during the next fiscal year. This was added to the comments.

Mr. Reiner indicated that when they audited the pension funds, they noted there were forfeitures, which are returned back to the township or credited back to the township. Those should be used to reduce the township's future contributions. There was a small dollar amount, several thousand dollars, of total forfeitures - money that was posted but was never used against those credits throughout the rest of the year so they referenced the fact that they should be used timely.

Mr. Reiner indicated the last item on his comment letter relates to year end closing procedures. The audit process began February 26th. At that time the township had not closed all of its funds and activities and there were several items left undone because of operating in a new fiscal year and not closing the previous fiscal year. There were also some items that were delayed getting done, such as staff turnover at year end.

B. Authorization to Advertise Sale of Various Items by Online Auction (Municibid).

HOLMAN Mr. Holman indicated the York Area United Fire and Rescue requested the township to include two of their fire vehicles on the Municibid program.

MS. LANDIS MOVED TO AUTHORIZE TO ADVERTISE SALE OF VARIOUS ITEMS BY ONLINE AUCTION (MUNICIPID). MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Board of Supervisors Road Tour

HOLMAN Mr. Holman noted that he had provided some preliminary dates of July 7, 8 or 14th. He requested that the board members let him know which of those dates would work. He noted the van with air conditioning is available.

BISHOP Mr. Bishop noted the 7th or 14th works, but not the 8th.

BOWMAN Mr. Bowman stated that would suit him also.

LANDIS Ms. Landis indicated she would look at her schedule and let him know.

SCHENCK Chairman Schenck stated the dates of the 7th or 14th would work for him as well.

SCHENCK Chairman Schenck explained the purpose of the road trip noting that although the state dropped the requirement to inspect the township roads annually, the board decided to continue it. He noted that Charlie Lauer provides a list of the roads scheduled for paving, and other points of interest to the supervisors in order that they can go look at them as a group.

D. HB1231: Request for Letter of Opposition to Bill from PSATS and Susquehanna Municipal Trust.

HOLMAN Mr. Holman indicated that HB1231 relates to changing the presumption of Workers Compensation for cancer claims for firefighters from presumption that they were not caused from work, to the presumption that it is the result of work-related issues and, therefore, would be covered as Workers Comp whether it occurred at present or occurred when they were long since retired. He noted this is a mandate from the state to the townships for firefighters. The Chairman of the Susquehanna Municipal Trust Workers Comp on the Workers Compensation Bill for all townships may cause the township to lose third party carriers. Currently, there is a presumption a person can file and to indicate that the illness was caused by his work as a firefighter. The case is then evaluated to verify it by Workers Comp. Based on the new bill, they would have to prove it actually was not work related. Mr. Holman stated it is not aimed at the firefighter as a negative, but a turnaround which will cause significant changes to the township workers compensation costs. He was not aware of funds or dollars assigned. Mr. Holman noted he discussed this with Chief McCoy. Mr. Holman stated the firefighter does have an opportunity to file a claim if this occurs, but the costs could become extremely burdensome.

LANDIS Ms. Landis stated she also spoke to Chief McCoy in regards to this issue. She was of the opinion the bill will be reworked due to loopholes. She was concerned about the issue of protecting the firefighters and for the municipalities to have to provide substantial evidence, however, she noted she would be in support of sending this letter stating the township's concern, especially with the unfunded mandates.

MR. BISHOP MOVED TO AUTHORIZE THE MANAGER TO CIRCULATE A LETTER IN OPPOSITION TO HB1231. MR. BOWMAN WAS SECOND.

LANDIS Ms. Landis asked if Mr. Holman was aware of other local townships who may have submitted a letter of opposition.

HOLMAN Mr. Holman indicated that he will attempt to obtain that information.

MOTION UNANIMOUSLY CARRIED.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JUNE 24, 2010
APPROVED**

E. Request from YAUFRR Commission to hold Joint Township Meeting on September 21, 2010 at 6:00 p.m. – YAUFRR 2011 Proposed Budget Presentation.

HOLMAN Mr. Holman stated a request was received from the York Area United Fire and Rescue for the Joint Governing Body meeting to review the proposed YAUFRR budget, September 21st, 2010, 6 p.m.

Consensus was agreement to hold the meeting on September 21, 2010 at 6 p.m.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 27, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 27, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Bob McCoy, YAUFR Chief
David Wendel, Director of Parks and Recreation
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

- A. May 13, 2010 – 11:30 p.m.
1) Collective Bargaining – Canine
2) Personnel

SCHENCK Chairman Schenck announced that an Executive Session had been held following the May 13th meeting to discuss collective bargaining issues surrounding the canine program, and also some personnel issues. He announced that prior to the meeting this date an Executive Session had been held to discuss real estate matters and personnel issues.

3. COMMUNICATION FROM CITIZENS

SCHENCK Chairman Schenck noted that he recognized a number of people in attendance interested in the work being done in the Kingston Road area. He stated that a

presentation would be made under Engineering Reports, and if there were comments they could be held following the presentation.

SLATKY John Slatky, 3673 Cimmeron Road, York Township, reported that Heritage Hills lost a validity challenge, and they have new board members. Mr. Slatky asked that the Springettsbury board would reconsider the light at Plymouth Road possibly going to Cambridge Road.

4. ENGINEERING REPORTS:

A. Environmental Engineering – Buchart Horn, Inc.

CRABILL Dennis Crabill noted that he had submitted his written report and asked if there were any questions. He noted that he had provided a small supplemental report concerning the Wastewater Treatment Plant. Buchart-Horn had been asked to work with township staff to provide answers to some questions posed by Mr. Dvoryak. He noted it was on the agenda under Old Business.

SCHENCK Chairman Schenck commented that it included a lot of information and the subject will continue as an on-going matter. He suggested that there would be time for discussion under Old Business.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had submitted a written report to the board. He elaborated on an item scheduled for discussion later on the Agenda, item 6D relating to I-83. A summary of his report showed that between 2006 and 2007 there were 63 accidents at the intersection of I-83 and Mt. Rose Avenue. Mr. Holman had inquired of PennDOT as to whether something could be done about this significant number of accidents. York County had responded that they were reviewing the matter and intended to allow a few improvements. The changes will involve signal timing improvements, a protected phase with a green arrow, as well as some right lane improvements. The township had been asked to provide a letter of approval of these changes, which will be put out to bid in July.

1. Kingston Road Study

LUCIANI Mr. Luciani noted that the residents of Haines Acres in the vicinity of St. Joe's Church had been in attendance at the board meetings in the past and for several recent months with concerns about speeds and the number of accidents occurring primarily at Cortleigh and Kingston Road. The police department gathered data and a safety meeting was held. He provided the results and recommendations with a PowerPoint presentation, summarized:

- Traffic volumes – Kingston Road, long straight road, highway designed for 80 mile per hour traffic.
- Classify roads in three categories: arterial, collector, and local roads.

- Police department traffic equipment counts cars: Kingston – 5,000/day, a collector road; Cortleigh – 2500 cars a day, local.
- Traffic Study – Typical studies done Tuesday, Wednesday, Thursday. Commercial area included Saturdays. Graph illustrates typical average daily traffic. Volume has increased by 500 trips since study done in 2003. Monday – 90% of volume, Tuesday – 103% of volume, Wednesday – 100%, Thursday – slightly higher. Saturday/Sunday – Same high volume due to number of churches in the area.
- Speed Study – 85th percentile traveling 35 to 40 miles per hour well over speed limit. Elementary school flashing sign limiting speeds to 15 miles per hour 7:15-8:15 a.m. and 2:30-3:30 p.m. School zones – 85th percentile traveling at 40 miles per hour.
- Multi-way stop sign-Cortleigh/Kingston – Not a methodology to control speed. Accidents at that intersection in a five-year period equaled 15 since 2005. Based on accidents, sight distance and volume criteria, multi-way stop signs could be warranted.
- Traffic Reports – Number of accidents evaluated by PennDOT is above national average.
- Kingston Road – Designed like super highway. Tools suggested were to narrow lanes on Kingston forcing travelers to be more cautious. Physical measures suggested: median, chicane, roundabout, traffic circle, some expensive. Suggested making Cortleigh one way southbound to prevent cut-through traffic, changing directions.

Additional discussion -

- Most effective method for slowing speeds are physical measures; emergency responses and snow plowing may be impacted; budgetary constraints.
- Routing traffic to a different road moves the problem with unintended consequences.
- One way streets could be a tool; restriping to add a bike lane, narrowing lanes.
- PSATS award for traffic calming won for cutting traffic by 30%, reduced velocities/speeds through neighborhoods.
- Raised intersections – like a built-in speed hump upon approach; speed table; very effective.
- Crosswalk signs to yield to pedestrians.
- Spike-A-Curb – Used successfully in West Manchester Township.
- Signage and continual monitoring of speed signs (solar powered and permanently mounted) creating awareness of speed.
- Stop signs suggested at every intersection, especially on Kingston. Unintended consequences is noise creation of cars stopping and starting.
- Multi-way stop requires ordinances which has to be advertised. Need authorization to advertise ordinance for four-way stops at Kingston and Cortleigh.

MR. BISHOP MOVED TO AUTHORIZE TO ADVERTISE AN ORDINANCE FOR FOUR-WAY STOP SIGNS AT KINGSTON AND CORTLEIGH. MS. LANDIS WAS SECOND.

- LUCIANI** Mr. Luciani noted that there is an implementation plan where, shortly after the ordinance is enacted, signs would be put up with flashing lights.
- LANDIS** Ms. Landis commented on the amount of volume on the roads and asked about consideration of an extended parade of traffic.
- LUCIANI** Mr. Luciani noted that he did not think the parade of cars would extend more than three or four cars. There will be some cueing at the intersection but the traffic volumes would not cause any major delay.
- MOTION UNANIMOUSLY CARRIED.**
- SCHENCK** Chairman Schenck suggested that Mr. Luciani be given general direction for the traffic calming recommendations, whether short or long-term.
- BISHOP** Mr. Bishop recommended that Mr. Luciani be requested to take financial considerations out of the equation completely and only consider effectiveness as to which will work along with ramifications of doing various things with unintended consequences.
- SCHENCK** Chairman Schenck indicated he would like to see more of the short-term goals in order to implement change more quickly.
- LUCIANI** Mr. Luciani noted that working with in-house people like Mr. Lauer enables a much quicker implementation schedule. He noted that he had received the board's direction and will proceed with the project.
- HOLLAND** Stephanie Holland, 405 Cortleigh Drive thanked Mr. Luciani for his presentation and noted that it was more detailed than she expected. She added that no flashing lights are on the school zone signs on their road. She stated that she liked the idea of physical barriers but did not think a bike path would be effective.
- SCHENCK** Chairman Schenck clarified that the purpose would not necessarily be for bikes but rather to give drivers the illusion that the road is narrower.
- HOLLAND** Ms. Holland noted that raised intersections would be a great idea, as well as speed tables. She added that making the street one way would be wonderful. She noted that the residents know that the implementation takes time; however, if they see progress they will be happy.
- GRIESS** Bob Griess, 410 Meridian Lane, complimented the board for the study. He commented that there had been no mention about the intersection of Edgewood and Cortleigh. He noted how difficult it is to cross the street in the Meridian Lane area due to speeding traffic.

- BOWMAN** Mark Bowman, 2705 Kingston Road, noted that he served as Captain on the York City Fire Department. He commented on the speed humps as well as roundabouts, which are major issues for the fire service. He added that in front of his home on Kingston, the street is more narrow, and it is difficult to drive within a parked car and the double yellow line. He commented on adding additional stop signs, which will move traffic to other areas. He was in favor of four-way stop signs.
- BAIR** Mark Bair, 3005 Forrest Lane, asked whether placing speed humps mid-block would be a more effective solution.
- LUCIANI** Mr. Luciani noted that speed humps are an effective way to control speeds. However, they do impact emergency services. Changing Cortleigh to a one-way street would cause detours and make a dramatic alteration and significant reduction in traffic. He added that the neighborhood would be impacted as well and their support would be necessary.
- BAIR** Mr. Bair asked how it might affect other neighborhoods and how it would shift the problem from one area to another.
- LUCIANI** Mr. Luciani responded that traffic volume will increase only on local roads. The goal would be to get the traffic on streets where there is commercial development such as Eastern Boulevard.
- BAIR** Mr. Bair asked whether an evaluation could determine which method would be more effective and could it be done on a temporary basis.
- SCHENCK** Chairman Schenck indicated that legislative action would be required. A traffic study would be done and an ordinance enacted in order to make the action legally enforceable.
- BAIR** Mr. Bair proposed to the board that they take action to bring about a one-way evaluation.
- SCHENCK** Chairman Schenck responded that what the board was asking for was a menu of options. He thought it might be premature to move forward with a single option until all the possibilities are on the table.
- LUCIANI** Mr. Luciani added that the one-way option had not been thoroughly reviewed; however, it is a possibility.
- SCHENCK** Chairman Schenck noted that there is some fairly high-powered traffic modeling software that people can use to model the situation, and it still could miss. He noted that any changes that are made will affect other areas. He cited situations where traffic calming was done in Old East York, which shifted to other areas and those residents were unhappy.

- BAIR** Mr. Bair noted his concern that once a portion of this was addressed that the rest of the traffic issues would be forgotten.
- SCHENCK** Chairman Schenck assured him that the project would not go away.
- BAIR** Mr. Bair commented on an observation with emergency services. He noted that ambulances do run Cortleigh to the Brunswick, and he thought that a speed table mid-block might be something to physically slow the traffic.
- SCHENCK** Chairman Schenck thanked the public for their attention and participation. He requested that the presentation would be placed on the website.
- BISHOP** Mr. Bishop asked for a timeframe for a response from the Township Engineer and the Township Manager.
- LUCIANI** Mr. Luciani responded that he could have a draft for the meeting next month. The project could take another 30 to 60 days.
- GAROFALO** **Canine Project**
Mario Garofalo, 3385 Oakleigh Drive, asked about the status of the Canine project. He noted the board had met in Executive Session and asked whether anything had been decided.
- SCHENCK** Chairman Schenck responded that the matter continued to be reviewed between the parties and the board had not received anything to act upon. He added that the board always had taken the position that it is desirous of finding the best way possible to put any dog to work if that decision is made, and if it is to be done, it will be done right.
- GAROFALO** Mr. Garofalo asked what was wrong with the old way the dog was working.
- BISHOP** Mr. Bishop responded that the township's personnel attorney advised that the contract was very risky and that the board's job is to make sure to minimize risks to the township.
- GAROFALO** Mr. Garofalo asked about the board's action to beautify Eastern Boulevard and the Walmart. He couldn't understand why there was a need to put up planters and lights for Walmart.
- SCHENCK** Chairman Schenck responded that any effort to beautify the community was the result of the Town Center concept for the entire area as a long-range plan to improve the overall area.
- LANDIS** Ms. Landis commented that, since the board was going into the summer session, she hoped they could have a canine contract for board action by June.

SCHENCK Chairman Schenck responded that the board was only 50% of that action. He wanted to make sure that the board was doing its half of everything necessary.

13. NEW BUSINESS

A. Conservation Fund Presentation: Walters Property

SCHENCK Chairman Schenck noted that he had spoken with Todd McNew, Pennsylvania State Director of The Conservation Fund. Chairman Schenck suggested that Mr. McNew's presentation be moved to an earlier spot on the agenda.

MCNEW Mr. McNew stated that he had come before the board to invite Springettsbury Township to join The Conservation Fund in a partnership to purchase and protect a portion of the township adjacent to one of the township parks. Mr. McNew's presentation is summarized:

- The Conservation Fund is a national, non-profit organization with 130 people across the country.
- The mission is focused on working with partners, usually municipal entities such as National Park Service or Pennsylvania Game Commission or the township, to assist in the acquisition of property.
- The property would be owned and managed by the purchaser for natural resource protection and public enjoyment.
- The Conservation Fund provides: mechanics of the deal through working with land owners and negotiating sales agreements; performing due diligence such as surveys and title research; assisting at closing with the land owner; transferring property to the partner.
- The Conservation Fund assists in raising funds for the project.
- Property being considered known as the Walters property, also known as the Rowe farm, 115 acres on Locust Grove Road; over 8,000 township residents could walk to the property in 15 minutes.
- Current zoning would allow construction of two units per acre on the site producing 230 new homes and add additional traffic to the township roads.
- Appraisal of the property was done and The Conservation Fund entered into a sales agreement to purchase the property for \$2,300,000. Total project cost estimation including purchase price plus due diligence will add up to \$2,500,000. Agreement valid until mid-September. Mr. McNew confident he could raise \$1.25 million in project costs.

RAUSCH Solicitor Rausch asked about the balance of the property that remains undeveloped.

MCNEW Mr. McNew referred to his handout and everything in red on the map.

RAUSCH Solicitor Rausch asked about any restrictions the Conservation Fund might have on the property.

- MCNEW** Mr. McNew responded that they would put no restrictions on properties. They work with entities that will have an ability to own and manage the properties. He added that other funding sources might have stipulations associated, and they would work through all of those issues.
- SCHENCK** Chairman Schenck commented that the obvious objective is to preserve the land forever. They would not expect the township to invest with the thought of selling the land in the future.
- MCNEW** Mr. McNew responded that they would hope to preserve the land.
- HOLMAN** Mr. Holman asked whether the property could stay agricultural.
- MCNEW** Mr. McNew noted that he could visualize that the second largest funding source might be the Department of Conservation and Natural Resources, and their grant program sometimes frowns on agricultural use. That would be an issue to work through. He commented that DCNR might be willing to commit some grant funds.
- SCHENCK** Chairman Schenck asked what timeline they would expect for the township to give a response based on the mid-September date on the sales agreement.
- MCNEW** Mr. McNew responded that the sooner a decision could be made the better.
- LANDIS** Ms. Landis understood the timeline but asked about putting the project out to the voters in the form of a referendum.
- MCNEW** Mr. McNew responded that he would prefer to get funding commitments.
- SCHENCK** Chairman Schenck noted that conservation is the objective and it gets down to money. He noted it would be interesting to get the pulse of the township. He added that the conservation of land had been in the Comprehensive Plan forever to preserve open spaces, all of which has a price.
- LANDIS** Ms. Landis asked what would happen if the timeline collapsed.
- MCNEW** Mr. McNew responded that the contract would null and they would have to start over. He stated that the property had been a target for development but that it was not at the moment due to the economy.
- BISHOP** Mr. Bishop noted that if this contract did not work, the Conservation Fund would not necessarily lose interest in the project.
- MCNEW** Mr. McNew responded that he was correct.
- SCHENCK** Chairman Schenck asked for assurance that the property owners are willing sellers.

- MCNEW** Mr. McNew responded that they do have a contract to purchase the property. The seller and the buyer, are legally bound at this time, and if those binds come undone because the contract lapses because the funding package does not move forward, then anything else can happen. That doesn't mean to say that they would lose interest.
- DVORYAK** Mr. Dvoryak asked whether they only operate on a 50/50 partnership basis or whether they might do a 70/30 partnership.
- MCNEW** Mr. McNew responded that every deal is different.
- LANDIS** Ms. Landis mentioned the Comprehensive Plan which looks to conserving open space. She asked what Mr. McNew wanted from the board at this time other than a commitment.
- MCNEW** Mr. McNew responded that he would like to have an approved motion to fund the project at \$1.25 million and take title of the property.
- LANDIS** Ms. Landis asked how he would like to keep the dialogue going because there would not be an approved motion this date.
- MCNEW** Mr. McNew suggested that over the next month he could be in contact with the board members and think about ways it could work.
- SCHENCK** Chairman Schenck indicated that he had two big questions. The question of use was important to him because if the land cannot be used in its current status, that means an on-going expense to the township. It will have to be mowed, and there are other costs that will need to be investigated. He commented on the fact that the original Rowe farmhouse had been placed into a trust. It would seem not too far of a stretch to say that corn should be grown beside a farmhouse.
- MCNEW** Mr. McNew suggested that a meeting be arranged with DCNR in anticipation that they might be the second biggest funder for the project. They might be able to determine how much they would be willing to contribute.
- SCHENCK** Chairman Schenck thanked him for his presentation and suggested that further investigation would be important and they will be open to further discussion.
- DVORYAK** Mr. Dvoryak agreed and indicated that he found the project intriguing.
- RAUSCH** Solicitor Rausch stated that it would be helpful for Mr. McNew to provide information or a flow of paperwork to see how other projects of this nature were handled. He was particularly interested in a project in partnership with a township in Pennsylvania.
- MCNEW** Mr. McNew responded that each deal is different but he could come up with some similar projects. He noted a project recently completed in Adams County where

the county was a major funding partner. It would get into some very fine details and probably would be something more suited to a small meeting.

SCHENCK Chairman Schenck thanked Mr. McNew for his presentation and thought a general indication was to keep the discussion going.

Citizen Comment

HELLER Jane Heller stated that she is involved with and was an instigator of the York County Conservation Alliance. She had recently become interested in a property on Washington Court owned by Mr. Pasch. He had purchased the property as an entrance into the land in question, which he anticipated developing into something called the Plantation. Ms. Heller had talked with several residents of the cul-de-sac who are living in terror that the property will become a traffic thoroughfare to a development. She thought The Conservation Fund's proposal was astounding to preserve the area. She added that there might be individuals who would be willing to pledge funds toward this. She personally pledged \$500 of her money to help with the project. She indicated that it was a critical opportunity for the township and she hoped the board would consider it very seriously.

LANDIS Ms. Landis commented that while the dialogue continued she would hope that the message could be released to many residents who would want to contribute to the project.

SCHENCK Chairman Schenck indicated that there is a mechanism in place in the township to allow people to donate money. He thanked Mr. McNew for his presentation.

5. CONSENT AGENDA

- A. Acknowledge Receipt of April 20, 2010 York Area United Fire and Rescue Commission Meeting Minutes.
- B. Acknowledge Receipt of April 29, 2010 York Area United Fire and Rescue Commission Special Meeting Minutes.
- C. Acknowledge Receipt of April 30, 2010 Treasurer's Report.
- D. Board of Supervisors Regular Meeting Minutes – April 22, 2010.
- E. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 11 in an amount not to exceed \$67,621.88.
- F. Regular Payables as Detailed in the Payable Listing of May 27, 2010.
- G. SD-09-03 – Time Extension – Carter Subdivision – Plan Expires 6/18/10 (New Plan Date 9/18/10).
- H. SD-10-01 – Time Extension – Willow Street – Plan Expires 6/15/10 (New Plan Date 9/15/10).
- I. LD-09-04 – Time Extension – Harley Addition Building 3 – Plan Expires 6/21/10 (New Plan Date 9/21/10).
- J. LD-10-01 – Time Extension – Holiday Inn Express – Plan Expires 6/15/10 (New Plan Date 9/15/10).
- K. LD-09-02 – Reapproval – Capital Self Storage Expansion (Final Plan).
- L. LD-08-02 – Reapproval – Rite Aid/Jiffy Lube (Final Plan).

SCHENCK Chairman Schenck asked that item D be removed for further discussion.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA AS OUTLINED WITH THE EXCEPTION OF ITEM D. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Board of Supervisors Regular Meeting Minutes – April 22, 2010.

Corrections were made to page 5 (changed word to sewer) and page 7 (rephrasing of one sentence regarding irresponsible pet owners).

MR. DVORYAK MOVED TO APPROVE MINUTES OF THE BOARD OF SUPERVISORS REGULAR MEETING APRIL 22, 2010 AS AMENDED. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization for Township Manager to Execute Agreement on Behalf of Springettsbury Township with Hartford Insurance.

HOLMAN Mr. Holman indicated that the Inter-municipal Insurance Cooperative Board made a commitment to try and reduce the member township's accidental death and disability and long-term disability insurance costs. By marketing for a large group, including 14 municipalities, the results were that the Hartford Insurance will match the current plan, as well as provide some enhancements that come with the basic Hartford plan. This will lower the township's cost by approximately \$9,860 on an annual basis, or a reduction of about 27% for the insurance the township provides. The benefits are equal to the current plan and would be effective July 1, 2010. The new plan is based on a fixed rate for the next three years.

MR. BOWMAN MOVED TO AUTHORIZE JOHN HOLMAN TO EXECUTE AGREEMENT ON BEHALF OF SPRINGETTSBURY TOWNSHIP WITH HARTFORD INSURANCE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Execute Supplemental Engineering Services Agreement with Buchart Horn, Inc. for Meadowlands Sewer Project in an amount not to exceed \$21,100

SCHENCK Chairman Schenck noted item B covered a supplemental agreement for Buchart Horn for additional work at the Meadowlands pump station due to additional requirements from the state.

LANDIS Ms. Landis asked for clarification on the scope of work in Phase I. She asked whether there was any assurance that Phase II would not be mandated with additional costs.

- CRABILL** Mr. Crabill responded that there was no guarantee. If an Indian burial ground is found, it would end there. If there are findings in Phase I, that would include the specialty contractor doing the Phase I work, not Buchart Horn, and it would include the remediation report if anything is found. He noted that he could not see that happening.
- SCHENCK** Chairman Schenck commented that this is a state requirement.
- HOLMAN** Mr. Holman noted that all the surrounding areas have had an archeological study, and this is the only piece remaining.
- CRABILL** Mr. Crabill added that it is the only single-edge border that had not been done, and nothing of significance had been found.
- LANDIS** Ms. Landis asked if he would provide the board with the final dollar amount.
- CRABILL** Mr. Crabill responded that he would. A contract will be signed with the contractor for a certain amount of money to do that work.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE SUPPLEMENTAL ENGINEERING SERVICES AGREEMENT WITH BUCHART HORN, INC. FOR MEADOWLANDS SEWER PROJECT IN AN AMOUNT NOT TO EXCEED \$21,100. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Authorization to Advertise for Receipt of Sealed Bids – 2010 Road Materials

HOLMAN Mr. Holman noted that item C covered the request to advertise for sealed bids for the road materials. He added that he hoped to get some dates out to the board for the annual township road trip.

MR. BOWMAN MOVED TO AUTHORIZE TO ADVERTISE FOR RECEIPT OF SEALED BIDS FOR 2010 ROAD MATERIALS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- D. Authorization for Township Manager to Execute Highway Occupancy Permit for Temporary Safety Improvements at Exit 18 of Interstate 83.

HOLMAN Mr. Holman reported that item D was for temporary safety improvements to help remediate some of the issues regarding Mt. Rose/Camp Betty Washington and Exit 18. The state will pay for this project. Funding has come from the Federal Highway Commission's safety group and they are looking to be out to bid in June and under contract by July. It is hoped to see a reduction in the accidents and existing problems in that area.

MR. BOWMAN MOVED TO AUTHORIZE TOWNSHIP MANAGER TO EXECUTE HIGHWAY OCCUPANCY PERMIT FOR TEMPORARY SAFETY IMPROVEMENTS AT EXIT 18 OF INTERSTATE 83. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-09-04 – Harley Addition Building 3 – 6-21/10 (Action)

BAUGH Mr. Baugh presented the Harley Addition Building 3 plan, documented in a May 27, 2010 briefing memo. He noted that the plan proposed the relocation of the West Campus manufacturing portion of the Harley Davidson property to the East Campus. There will be building additions along the east, west and north walls of the easternmost existing manufacturing building. Improvements will include relocated access drives, new parking lots, expansion of an existing storm water management facility and a new storm water management facility. Mr. Baugh presented a PowerPoint overview of the project which included the zoning, aerial photo, waivers and conditions approved by the Planning Commission, drawings of the addition including before and after renderings. Mr. Baugh noted that the applicant was present to respond to questions.

SCHENCK Chairman Schenck questioned whether there would be any physical changes to Eden Road and whether the township would be paying for that.

BAUGH Mr. Baugh responded that was not the case.

BIEBER Tim Bieber, NuTec Design, noted that this would not be the last time the plan would come before the board. He stated that there is a tentative sale agreement to the York County Industrial Development Authority which will require a subdivision plan approval. They anticipate that moving forward in the new several months. They are elated that Harley Davidson had made the decision to stay in York. However, as this plan has evolved, Harley's costs have grown. They are in the process of finding some ways to possibly reduce the financial impact of these additions. So if it is possible to work that out and still meet Harley's objectives for the manufacturing operation, they may come back to the board with a revised plan after this plan approval. They are reviewing an alternate traffic flow, since there is not a lot of traffic on Eden Road with the current operation. The new plant does have additional truck traffic on Eden Road; however, they are looking at ways of maintaining the traffic patterns as they are and if so, they may ask for consideration for a waiver of improvements to Eden Road. Currently they have an estimate on costs and some cost-saving measures. The project is out for bid and they will have a better handle on where they stand financially.

SCHENCK Chairman Schenck noted that the scope of the project included 100,000 square feet.

BIEBER Mr. Bieber responded that it was slightly over 100,000 square feet: roughly 68,000 north, 25,000 east and 25,000 south.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT LD-09-04 HARLEY ADDITION, BUILDING 3, TO APPROVE THE PRELIMINARY/FINAL PLAN WITH THE SEVEN WAIVERS AS DOCUMENTED IN THE MAY 27TH MEMO, AND FURTHER TO

APPROVE THE PLAN WITH THE FIVE CONDITIONS LISTED ON THE SAME MEMO. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis thanked Chief McCoy for taking some time out this week and taking her around to the fire houses to meet some of the employees and check out the new pumps. She felt it was very educational and she appreciated it.

LANDIS Ms. Landis reported she had attended the LGAC annual dinner on behalf of the township. It was very well attended and informative. She hoped that the entire board could attend next year.

9. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated he had nothing to add to his written report.

10. MANAGER'S REPORT

Rail Trail Authority

HOLMAN Mr. Holman mentioned a letter received from the Rail Trail Authority. The board previously had provided him with direction. He had provided copies of a letter to the board where the Rail Trail had requested a waiver of their fees. He noted that they currently owe the township fees due the engineer in the amount of \$9,300 and \$10,000 to replenish their fund based on the number of requested meetings. They had asked for an additional meeting, and Mr. Holman needed direction to proceed forward.

SCHENCK Chairman Schenck noted that they had requested that, if the board did not waive the fees that they would be permitted to keep working until they could honor their commitment to replenish the money.

HOLMAN Mr. Holman noted that he could not authorize that without board direction.

SCHENCK Chairman Schenck asked whether the township could work with them to make sure that every meeting they have is anticipated to be productive.

HOLMAN Mr. Holman responded that they try to encourage them to do so. They call a meeting and they don't have much for discussion. They still want to meet.

SCHENCK Chairman Schenck commented that the meter still is running.

BAUGH Mr. Baugh noted that they have seven different plan submittals and 11 meetings. Mr. Baugh concurred with most of them.

- BISHOP** Mr. Bishop asked for clarification as to whether there were seven different plan submittals, and they were seven different plans for essentially the same project. He asked whether they were changed in response to questions raised by the township.
- BAUGH** Mr. Baugh responded that there were seven different plans for essentially the same project. He noted some were changed based on the Tuesday morning staff meeting discussions. However, his point was that they don't address everything in each plan revision and that required an additional meeting.
- LUCIANI** Mr. Luciani itemized some of the substantive changes made to accommodate issues and obstacles:
- Having the rail trail underneath Mundis Mill Road and having to switch that to get over to Crist Park to the other side of the river.
 - They were unable to get the right-of-way to cut up through S&A Homes.
 - They wanted to go down the sidewalk and make the sidewalk eight feet wide for bikers.
 - There was opposition from the homeowners who wouldn't agree to the eight foot walkway.
 - They altered the route again and crossed over to Sheridan Road.
 - The current plan is to go down Sheridan Road on the east side of Sheridan Road's shoulder. At the intersection, they are attempting to get agreement from Mr. Carter, but that has been altered several times.
- HOLMAN** Mr. Holman asked whether the township has the sign off of the owners.
- BAUGH** Mr. Baugh responded that the township had been generous in the sense of typically requiring the property owner's permission. The township does not have all the easements they need from certain property owners. The plan is being reviewed.
- HOLMAN** Mr. Holman added that based on their minutes it appeared that they are anticipating them at any time, but they still don't have the sign off.
- SCHENCK** Chairman Schenck responded that if there was a way to get the word back to them that the township certainly will do anything possible to help them contain their cost recognizing that it is more effective to come to a meeting with lots to do instead of a lot of meetings where there's not so much to do.
- LANDIS** Ms. Landis noted that the only thing she was concerned about was the paragraph in which it stated that they had completed work in 14 York County municipalities and Springettsbury was the first to submit a project with extensive and expensive land development review costs.
- SCHENCK** Chairman Schenck responded that it was because it had not been one easy plan.
- BISHOP** Mr. Bishop added that they are doing different kinds of things in Springettsbury Township than they've done anywhere else. Where they've got a rail to go along,

they already have most of what they need. In Springettsbury they need to cross Route 30 and cross Mundis Mill. There are a number of things they had never needed to do anywhere else.

LUCIANI Mr. Luciani added that Mr. Bishop was correct and stated that he, Mr. Holman and Solicitor Rausch had walked the grade. They are smoothing out the old rail line and there is significant grading past the quarry, along with a number of retaining walls to straighten out the elevation. It will be a costly section for the rail trail to establish the rail bed.

HOLMAN Mr. Holman noted that they would have to apply for an HOP permit.

SCHENCK Chairman Schenck commented that they often don't have to do that.

BAUGH Mr. Baugh stated that they need an HOP for the driveway on Loucks Mill. He had been advised that they received an HOP but the township had not issued a letter of awareness.

BISHOP Mr. Bishop commented that their entity is different in that all of their internal management is volunteer. They pay for their engineer, they pay for their lawyer, but everything else is volunteer.

SCHENCK Chairman Schenck indicated that there are actual costs. He did not oppose giving them some leniency to work out their payment recognizing that they have board meetings and timing issues. He was not happy about that but thought that the board should stand firm on its original direction.

BISHOP Mr. Bishop asked whether there would be any risks to doing what Chairman Schenck suggested. He was not opposed either to making it generally available.

SCHENCK Chairman Schenck indicated that it's a bit of an olive branch to not be totally hard headed but to extend a bit of breathing room. He hoped they would not take advantage of it.

HOLMAN Mr. Holman indicated that the final collection option is to go to lien. He added that he could not authorize anything further with regard to the project. He asked for a consensus to give him direction.

DVORYAK Mr. Dvoryak asked for the specifics of that direction.

SCHENCK Chairman Schenck responded that basically in their letter they made the request that if the board advised there would be no break on the fees would there be some leeway to let them proceed.

BAUGH Mr. Baugh stated for consideration, if the board was inclined to give them a break, they actually owe the township \$9,300, perhaps they could catch up to the actual cost and there would be no need to make them replenish the costs.

- HOLMAN** Mr. Holman responded that they would replenish at a lower rate.
- BISHOP** Mr. Bishop indicated that it is unknown how much more they are going to spend.
- SCHENCK** Chairman Schenck asked by how much they are in arrears.
- HOLMAN** Mr. Holman responded it was \$9,300. The replenishment would be \$10,000, 25 % of the original amount.
- SCHENCK** Chairman Schenck indicated that would be doing something to request that they catch up with the \$9,300 and then when they get another \$5,000 they will be asked to pay that; sort of pay as they go. That would be at least something.
- HOLMAN** Mr. Holman noted that the engineer is due payment.
- SCHENCK** Chairman Schenck indicated that the work was done.

Consensus was to proceed with requesting \$10,000 in escrow and then address additional costs as the project moves forward.

Audit Approval

- SCHENCK** Chairman Schenck commented that Mr. Holman needed an audit approval as mentioned in his Manager's Report.
- HOLMAN** Mr. Holman requested an acknowledgment of receipt of the audit report. It was a clean audit on the H2O grant, which is due by mid-June. This grant had a different rule in place that upon expenditure of the funds the township had eight to 12 weeks to get an audit report completed as opposed to the end of the grant period. The township expended the \$1 million and all funds were received.

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF THE AUDIT REPORT DATED FEBRUARY 1, 2010. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Canine Project

- BISHOP** Mr. Bishop commented that Mr. Holman's Manager's Report also had a notation about the Canine Project.
- HOLMAN** Mr. Holman responded that a meeting was held this week and another meeting was scheduled for next week with Officer Polizzotto and the police bargaining unit.
- BISHOP** Mr. Bishop asked whether the attorney was involved.
- HOLMAN** Mr. Holman responded that there was no reason to have the attorney present. They had clarified some of the questions and they can now go back to the attorneys and finish the clarifications.

BISHOP Mr. Bishop commented that the project is moving forward and no one is waiting on Springettsbury Township at this time.

HOLMAN Mr. Holman responded that he was correct.

11. ORDINANCES AND RESOLUTIONS

- A. Ordinances No. 2010-06 – Establishing a No Parking Zone on Stonybrook Drive, north side, from Silver Spur Drive to a point 300 feet west of Silver Spur Drive.

MS. LANDIS MOVED TO APPROVE ORDINANCE NO. 2010-06 ESTABLISHING A NO PARKING ZONE ON STONYBROOK DRIVE, NORTH SIDE, FROM SILVER SPUR DRIVE TO A POINT 300 FEET WEST OF SILVER SPUR DRIVE. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

12. OLD BUSINESS

- A. Wastewater Treatment Plant Odor Issues

DVORYAK Mr. Dvoryak introduced a discussion surrounding the on-going issue with resident complaints about odor issues from the Wastewater Treatment Plant. He had documented some of his thoughts on the matter and had received a response to some of his questions from Buchart-Horn. A lengthy discussion took place which is summarized:

- Goal was to discuss the possible solutions, understand the issues, the cost and determine any board action.
- Discharge permit issued to the township has no odor reporting requirements.
- DEP requires that a record be maintained dealing with air quality and odors.
- Township does want to investigate and document each and every odor complaint for data points.
- Need to determine whether complaints actually are related to the treatment plant and what type of odor and intensities.
- Complaints seem to be increasing – could be in direct response to township’s suggestion to call when odors are detected. Data includes weather information, temperatures, and wind direction.
- Manner of operation in the plant has not changed.
- Composting is a major source of odors and is on-going.
- Study as to how best to deal with sludge and bio-solids at the plant was performed two years ago.
- Alternatives to composting, dealing with sludge that are less odorous; some require enormous cash (enclosing the plant).
- Wastewater Treatment Plant runs 24/7. Plant odors and composting are two separate things.
- Composting, Class A material, is done only in the winter and can be applied anywhere. Class B material applied to farm field is heavily regulated by DEP.

- Township purchased Tree Farm in 1987 with requirement to maintain composting. A decision to stop the composting would require refunding the current value of the land, which created a buffer around the sewer plant. An option. Acreage to be identified.
- Bio-solids cannot be applied on snow or frozen ground; must be stored.
- Application of bio-solids to Long Farm does not increase the problem; bio-solids are fully stabilized when applied; happens once a year, not on-going; provides recycling and is most cost-effective; beneficial re-use also to the Tree Farm.
- Option would be to send to a landfill which is limited on the amount they receive.
- Odor control system in place; question whether system is maximized. Operating costs to be identified.
- Open communication with residents has been and is on-going.
- Suggested updated newsletter article for winter issue.

13. NEW BUSINESS

A. Conservation Fund Presentation: Walters Property

This item was acted upon earlier during the agenda.

SCHENCK Chairman Schenck asked the board members to remain following adjournment for a brief Executive Session to discuss real estate related to the presentation by the Conservation Fund. He adjourned the meeting at 9:50 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – CABLE FRANCHISE**

**MAY 27, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing with regard to the Cable Franchise on Thursday, May 27, 2010 at 6 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Board of Supervisors Public Hearing to order at 6:00 p.m.

2. NEW BUSINESS

A. Cable Franchise Renewal

SCHENCK Chairman Schenck read opening remarks for the Public Hearing as follows:

“Good evening. This is a public hearing regarding cable franchise renewal for Springettsbury Township. The hearing is held pursuant to Section 626 of the federal Cable Act, which sets forth the process for franchise renewal. The Township’s current franchise agreement with Comcast expires on October 31, 2012, and the Township is beginning the process of renewing this franchise. This Public Hearing is an important part of franchise renewal, in which the Township reviews the cable operator’s past performance and identifies its future cable-related community needs.

The purpose of this public hearing is to hear from citizens regarding the following:

- 1) The past performance of the cable operator; and
- 2) The Township’s future cable-related community needs.

Franchise renewal is the best opportunity for municipalities to assert their rights with respect to their cable operator and to obtain important benefits in return for granting the cable operator the right to use its public rights-of-way. These benefits include, but are not limited to, the following:

1. State-of-the-art cable system now and in the future;
2. Strong customer service standards;
3. Free services to community facilities;
4. Greater build-out of the cable system within certain density requirements;
5. Cable operator accountability;
6. Franchise fees for the cable operator's use of the public rights-of-way;
7. An educational and governmental (EG) channel;
8. Legal protections for the Township; and
9. Better Mechanisms to enforce the franchise agreement.

These are just some of the potential benefits available through franchise renewal. Citizens may address these items or any other cable-related items that are important to them. We will now open the hearing up to citizen comments. Thank you."

3. PUBLIC COMMENT

There were no members of the public present; therefore, there was no public comment.

HOLMAN Mr. Holman noted that he will respond to Dan Cohen to advise that Springettsbury Township had held its meeting. He noted that other municipalities had held their meetings previously, several of which Solicitor Rausch had attended.

RAUSCH Solicitor Rausch confirmed that he had attended two other municipal meetings with regard to the franchise renewal.

HOLMAN Mr. Holman noted the subscribers as follows: Dover Township 4,601, Lower Windsor 1,705, Manchester Township, 5,018, Manheim 346, Springettsbury Township 7,253, West Manchester 5,483 and Windsor 4,230. They are working on developing a master agreement.

RAUSCH Solicitor Rausch noted that there had been residents from Druck Valley who had requested cable services.

HOLMAN Mr. Holman responded that Charles Stuhre had sent a letter indicating an interest in getting cable run along Trout Run Road. The problem was that they did not have the housing density that was needed, which was 40 homes per linear mile. That request is being addressed in this contract, and a copy of Mr. Stuhr's letter was forwarded to Mr. Cohen to see if Trout Run Road could be included. Springettsbury, as well as other rural townships, are attempting to get the number of 40 dropped down, and a list of streets was provided to them. Those rural residents currently have satellite service.

DVORYAK Mr. Dvoryak asked whether the township could be assured that the franchise was providing all the right things, and whether the township had ever exercised its right to go in and audit their books.

HOLMAN Mr. Holman responded that such request had never been made. However, they had checked what prior payments were versus current payments. The consortium had requested that they send their records. The SEC guidelines had documented that their rates are reasonable and customary.

4. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 6:06 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MAY 13, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, May 13, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Bob McCoy, YAUFRR Chief
David Wendel, Director of Parks and Recreation
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7 p.m. He welcomed the attendees and led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session had been held on April 22nd following the regular meeting to discuss personnel issues. He indicated that an Executive Session was scheduled for this date following the meeting to discuss personnel matters.

3. COMMUNICATION FROM CITIZENS

Traffic – Haines Acres

HOLLAND Stephanie Holland, 405 Cortleigh Drive thanked First Capital Engineering for their efforts in the Haines Acres issue. She noted the installation of stop bars on her corner. She commented on the township's customer service, which she felt was lacking in terms of responses to her questions and follow up on the results of the traffic studies. She noted that the Haines Acres residents want to be fully informed of the studies, and she had filed a Right to Know request. Ms. Holland brought

forward the important issue of the Canine Program as well and asked the supervisors to move forward.

SCHENCK Chairman Schenck responded that the Canine Program issue is one between the township and the labor union that represents the policeman.

HOLMAN Mr. Holman stated that the matter is in collective bargaining and to discuss the progress it would be necessary to go into Executive Session.

SCHENCK Chairman Schenck indicated that, if it was as simple as passing a motion, the board could certainly do so; however, they need to be sure that the township will be completely protected.

SCHENCK Chairman Schenck noted that, with regard to the results of the traffic studies, a public presentation of the entire study will be made. Pieces of data could be provided; however, it would be difficult to draw any conclusions and would be premature.

HOLLAND Ms. Holland indicated that she understood but would like to see the pieces as they are made available. She noted that she remains in fear that her children are in danger playing outside their home due to the hazardous traffic situation.

SCHENCK Chairman Schenck commented that any piece of data would be just a summary, and he provided a copy of his summary report. He asked whether she had been able to download the PennDOT handbook.

HOLLAND Ms. Holland responded that she had not but that she reviewed it frequently.

HOLLAND Ms. Holland thanked the township and the public works for their work on the stop bars and for everything that is being done. She noted that it is a major concern for the entire community and especially for the children in the area. She noted that the school board had begun discussion to put in force a 1949 law to make elementary school students walk a mile and a half to school. She had attended their meeting and voiced her concern and advised them of the township speed study. She was aware that the issues take time to resolve, but that she intended to continue to pursue the solutions until they are completed.

LANDIS Ms. Landis asked whether it would be positive for the board to have an Executive Session with Mr. Holman to be brought up to date on the canine issue. It would be helpful to know whether there are any outstanding issues where the board could provide guidance.

SCHENCK Chairman Schenck responded that, inasmuch as an Executive Session had been scheduled following the meeting, the subject could be discussed at that time.

SANDMEYER Robert Sandmeyer, 2625 Kingston Road asked about the results of the police department monitors in front of his home. He noted that the speeding traffic,

including school buses is terrible. He suggested that the supervisors come to his home and sit on his porch for two hours to observe the speeding.

BISHOP Mr. Bishop responded that he was aware of the situation as he drives through that area several times each day.

Canine Program

KING Todd King, Union Vice President came forward, along with Officer Bill Polizzotto of the police department. They had asked to be put on the agenda tonight, but unfortunately, that couldn't happen. They wanted to provide a current status report from their point of view, the negotiation side of the current contract status. They provided documentation to the board including the two separate contracts that the police department had provided and the contract that the township had counter-acted.

SCHENCK Chairman Schenck questioned whether it was their intent for the board to review the contracts with respect to the negotiations and the fact that they are labor negotiations.

KING Mr. King responded that they were not looking for a review, but only a status update. The residents of the township had asked about the status, which information they wanted to provide.

SCHENCK Chairman Schenck noted that the board would be briefed during Executive Session.

POLIZZOTTO Officer Polizzotto asked what the main reason or purpose was for the negotiation.

SCHENCK Chairman Schenck responded that nothing had changed. The township had received a very firm ruling from the labor attorney that there had been huge exposure there. This board had approved the dog the first time around and was very excited about it. Had anyone pushed that prior agreement to the letter of the law, the township could have been exposed to a loss of hundreds of thousands of dollars. Those are the facts that the citizens don't get to hear. All the board is attempting to do through the labor attorneys is to find something that works for everyone.

POLIZZOTTO Officer Polizzotto commented that an agreement would be FLSA compliant. He noted that there had been no other problems with the contract previously used other than the fact that it was not compliant.

SCHENCK Chairman Schenck stated that, in his personal opinion, they asked for a contract that would give the board the ability to say yes.

There was continued discussion concerning the tweaking of documentations, summarized:

- Contracts were reviewed; previous contract provided for leasing the dog and hourly compensation or relief time for the officer.
- Drafts of the contracts were provided that were FLSA compliant.
- No need to re-invent the wheel.

- Important to limit the township's FLSA exposure.
- Agenda denial based on fact that timely paperwork was not provided by attorneys.

SCHENCK Chairman Schenck added that it was important to be careful not to discuss labor negotiations in public. He noted that it was not because they are trying to keep anything from the public, but rather out of respect to both parties.

LANDIS Ms. Landis commented that she did not believe she had received a copy of the drafted contract.

SCHENCK Chairman Schenck responded that the board had received a copy; however, it may have been during budget time and she was not on the board at that time.

POLIZZOTTO Officer Polizzotto noted that from their perspective either of the two proposed contracts would be FLSA compliant.

SCHENCK Chairman Schenck responded that their attorney would assure the board of that.

KING Mr. King added that as far as the status the two attorneys were reviewing the contract.

BISHOP Mr. Bishop commented that his understanding was because their attorney and the township's attorney are reviewing the documentation, it would not be appropriate for the board to do anything until the results of that review are received.

SCHENCK Chairman Schenck thanked the officers for their status report.

FERNANDEZ David Fernandez, 1843 Wallace Street, Springettsbury township spoke in favor of the Canine Program.

ALBRIGHT Darrel Albright, East Manchester Township resident and retired Chief of North Eastern Regional Police, spoke in favor of the Canine Program.

GAROFALA Mario Garofalo, 3385 Oakland Drive, spoke in favor of the Canine Program.

GLOCHESKI Tony Glocheski, 38 years in law enforcement, retired, spoke in favor of the Canine Program.

LUCAS Cathleen Lucas, 1710 Deamerlyn Drive spoke in favor of the Canine Program. She also commented on the pet ordinance and noted that it was important to remember that it's not the pet that's the problem, its irresponsible pet owners.

GEORG Jeff Georg, 4248 Druck Valley Road, spoke in favor of the Canine Program.

FULTON Jeff Fulton, Dover Township resident and a Federal Law Enforcement Officer, spoke in favor of the Canine Program.

Four-Way Stop Signs

MCCARTHY Joe McCarthy, 2640 Kingston Road commented that he would provide the stop signs if the board would agree with their installation.

SCHENCK Chairman Schenck responded that he was in favor of four-way stop signs. However, if they are not legal, they are not enforceable. The board needed to be sure that traffic measures are done right, which unfortunately, takes time. He thanked everyone for their comments, which the board appreciated.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill indicated he had provided his written monthly report.

SCHENCK Chairman Schenck commented that he read a news article concerning the Chesapeake Bay and EPA's heightened awareness of getting nitrogen out of the Bay. Springettsbury Township had been on the leading edge in honoring its commitment to the Chesapeake Bay five years earlier than required and doing so with a budget that the residents had not even seen. He added that items of that nature are not noticed, and as a member of the board there are bittersweet times.

CRABILL Mr. Crabill asked if there were any questions about his report.

SCHENCK Chairman Schenck noted the item on the Meadowlands Pump Station, which was to be removed. He asked why DEP is so concerned about regulations to remove it.

CRABILL Mr. Crabill responded that he could not answer his question, but unfortunately, the latest documentation is a request for an archeological survey on the path of the pipe.

SCHENCK Chairman Schenck noted that was their prerogative.

CRABILL Mr. Crabill reported an interesting development regarding Eberts Lane and Sherman Street. When they finally received the drawings there was nothing noted regarding the manhole replacement. They had to go back to PennDOT and prove that the township had done everything that had been agreed upon. When PennDOT finally located the paperwork, they agreed that they would include all items in the project via a change order.

LANDIS Ms. Landis noted that had been her question of Mr. Luciani. She asked if the work was being done.

CRABILL Mr. Crabill responded that it supposedly was handled. They have an e-mail from the project manager at PennDOT saying that he was going to handle it, and the state was going to take care of everything.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had two updates to his written report. He noted that with regard to the Kingston Road Study, the board put the solution in motion by requesting their firm to do the due diligence to solve the problem. He noted that there are at least 10 steps to any assigned project. There are many township data collection systems that can be useful, including the police department's own traffic data, the multi-way stop sign warrants, evaluation of speeds, accidents, trends, traffic studies, etc. The stop bars installed are vinyl, which are more expensive but they last a long time. A number of options had been identified including multi-way stop signs, which will involve a legislative component that needs to be advertised. A public hearing will be necessary to discuss the traffic studies. He noted that there is a very succinct timeline which must be done. Once those improvements are implemented, something that the township has done historically, even with traffic calming is to continue to enforce and recount to see if there was a difference. The results are measured. Mr. Luciani stated that they are about halfway through the process, which will be followed by an internal work session and then the results will be presented to the residents. He was aware of the frustration. However, he wanted to go on record to report the progress.

Mr. Luciani reported that there had been correspondence from PennDOT regarding North Hills Road and Industrial Highway. He is waiting to receive drawings from PennDOT for an altered PennDOT permit, in order to implement the changes as soon as possible.

DVORYAK Mr. Dvoryak asked how it is determined whether a four-way stop sign or a signal light is needed. He wondered how the warrants differ for the two.

LUCIANI Mr. Luciani responded that there are many factors, summarized as follows:

- Institute of Transportation Engineers – publishes warrants/guidelines.
- Prior to a signal – put 4-way stop signs.
- Multi-way stop – need total of 550 peak hour trips in an 8-hour period.
- No sight distance for either direction – appropriate for multi-way stop.
- Improve traffic safety.
- Volume of traffic larger for signal than stop signs.
- No steep hills; high speed limit zones; long distance between signals.
- Accident history.

LANDIS Ms. Landis asked for an update on the stop bars at Druck Valley Road and Mt. Zion Road.

LUCIANI Mr. Luciani responded that PennDOT intended to do some work on those roads; however, he was not certain of the status. He will provide an answer by the next meeting.

HOLMAN Mr. Holman indicated that the stop bars would not be installed until the weather clears. They still need to finish other work in the area and put in additional signage.

SCHENCK Chairman Schenck asked Mr. Luciani to relay his thanks to Dave Renshaw for his diligence during the transportation of the reactor equipment through the township. He did a great job.

LUCIANI Mr. Luciani indicated he would pass along his comments.

5. CONSENT AGENDA

- A. Acknowledge Receipt of March 16, 2010 York Area United Fire and Rescue Commission Meeting Minutes.**
- B. Board of Supervisors Work Session Minutes – March 15, 2010.**
- C. Board of Supervisors Public Hearing Minutes – March 25, 2010.**
- D. Board of Supervisors Special Meeting Minutes – May 7, 2010.**
- E. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 12 in an amount not to exceed \$1,215,546.28**
- F. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 10 in an amount not to exceed \$58,815.**
- G. Regular Payables as Detailed in the Payable Listing of May 13, 2010.**

MS. LANDIS MOVED TO APPROVE THE CONSENT AGENDA ITEMS A THROUGH G. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no items for action.

7. BIDS, PROPOSALS, CONTRACTS, AGREEMENTS.

- A. Authorize Agreement with USA Theatres for Recreational Outdoor Movie Event.**

HOLMAN Mr. Holman reported that one movie night is planned each year. The movie this year will be Monsters vs. Aliens, and it is scheduled on July 17th, with July 18th as a rain date if approved by the board.

SCHENCK Chairman Schenck asked if a sponsor had been acquired.

WENDEL Mr. Wendel responded that the sponsorship will be combined with the concert series and partnerships will be packaged together. He added that he is looking for specific sponsors for that event.

MR. DVORYAK MOVED TO AUTHORIZE THE AGREEMENT WITH USA THEATERS FOR THE RECREATIONAL OUTDOOR MOVIE EVENT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorize Easement Agreement for Rail Trail along Codorus Creek.

HOLMAN Mr. Holman reported that the agreement had been reviewed by attorneys, approved by the Rail Trail and is ready for approval. Following Springettsbury approval it will be sent on to the county. He noted that the exhibit shows that it goes along the Codorus Creek up to a certain point, goes behind the S&A homes. It does not conflict with what the Planning Commission is reviewing. There is a separate agreement. All that is being requested for authorization is where they need to build the transfers over onto the township's right-of-way where the sewer exists on the Codorus Creek. The current condition of that pipe was video taped. Going forward at any time the pipe would need repaired and the property be brought up to grade, the township would repair the pipe and the trail work would be the Rail Trail's responsibility.

SCHENCK Chairman Schenck asked Solicitor Rausch if he had reviewed the agreement.

RAUSCH Solicitor Rausch responded that he had done so.

MR. DVORYAK MOVED TO AUTHORIZE THE EASEMENT AGREEMENT FOR THE RAIL TRAIL ALONG THE CODORUS CREEK. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. SD-07-04 – Waiver – Ridge View Heights (8/31/10)

BAUGH Mr. Baugh presented SD-07-04 – Ridge View Heights as described in the May 13th briefing memorandum. He stated that the plan had been filed prior to the adoption of the current ordinances and recent changes and had been reviewed under the previous ordinances. He noted that the site was located along the south side of Deiningger Road and Mt. Zion and Rocky Ridge County Park. The zoning is R4 and proposes development of 10 lots for single-family detached homes. Mr. Baugh provided a PowerPoint overview of the plan showing the project description, zoning map, aerial photos, present site, waiver requests, road improvements, curbing. The Planning Commission had reviewed and recommended the plan with several waivers, but did not recommend several additional waivers for further review by the Board of Supervisors. The waiver for submission of the Preliminary Plan had been withdrawn. Attorney Stacey MacNeal represented the developer, along with Joshua George, Engineer for the plan.

A lengthy discussion took place, and for the purposes of these minutes, the discussion is summarized:

- Roadway – ASHTO standards apply.

- Steep slopes to the south; widen roadway with 12-18 inch swale – not viable option.
- Curbing & width of roadway; half degree slope would enable storm water drainage.
- Applicant offered township four options: 1) developer completes improvements for only its half of the road, the blending of those improvements on the other half of the road as necessary to create the transition between the two halves of the road; 2) developer widens its half but lets the existing road to the geometry remain as it is excepting just what is needed for ponding; 3) developer pays the townships; township does the whole road; and 4) township pays the developer and the developer does the whole road.
- Township had previously (September 2008) indicated preference for option 1. Engineer indicates slopes again a problem.
- Procedural aspects – Planning Commission recommendations; plan expiration May 31st.
- Revised plan submitted to correct technical issues; time extension to August 31st.
- Additional waiver request for sidewalks submitted May 7th
- Public water and sewer proposed to the site; existing water lines; extension of sewer lines.
- Access drives directly on to Deininger Road.
- Storm water management - DEP mandated retention basins; steeper side slopes to minimize impacts; individual bio-retention basins on each lot.
- Scale provisions – waiver requested and recommended 1:60.
- Traffic Study – Counts to be done; times of construction not done during a.m., p.m. peak hours or during weekends or when special events happen at the park. Request not to be required to do full impact study.
- Speed issues – Posted speed 25 mph; road design on existing roadways dictate speeds.
- Street lights – Waiver requested - none on Deininger Road; neighbors against lights. Developer is willing to put in individual lamp posts.
- Road improvements – Widening issues – Deininger Road does not meet current township standards for width.
- Proposed street system – applies to existing streets; widths; maximum cartway of 26 feet.
- ASHTO Standards require minimum .5% longitudinal slope; developer's plan has a 1% minimum slope; either side of the roadway would either be higher or lower. Blending recommended.
- Sewer lines – Staff met with Kinsley and Stewart & Tate re/blending of the roadway. Sewer will require trench 12 ft. deep; 12 ft. wide; developer will address problems.
- Cooperation between developer and township to fix the roadway as noted in options. Developer preference for option 4 and meeting ASHTO standards.
- Sidewalk – Suggest a six-month note on the plan.
- Township not likely to spend \$100,000 to fix roadway in order to develop property.

- Deininger Road not on a schedule to be repaved to date.
- Blasting is not permitted in the area.
- Developer is more than willing to provide payment of fees in lieu of any improvements; escrow agreements, letters of credit, development agreements, or paying outright fees.

TRANSBERG Michelle Transberg, Deininger Road resident, commented that none of the residents there want any street lights. They love the rural area with deer and the park.

BILLET Ryan Billet, 3413 Deininger Road resident, echoed Ms. Transberg's comment with the appreciation of the rural area, lack of noise and environment.

GREENEWALT Bill Greenewalt, 2540 Schoolhouse Lane, noted that even though he did not live in that area, he was not in favor of the township spending \$100,000 on the roadway.

BISHOP Mr. Bishop asked Solicitor Rausch about a waiver request. If the board denied a waiver, followed by discussions and plans, and the applicant finds it desirable to request that waiver again under a different set of circumstances, he asked whether that was something a developer could do.

RAUSCH Solicitor Rausch responded that there are always changes of circumstances. If a developer was to come back with the exact same waiver and there had not been a change of circumstances, then that waiver should not be granted. However, if they are asking for something slightly different, then it would be like a different waiver, so absent a change of circumstances normally, the board would not be changing its vote on a waiver. He did not think there was any issue with the first three. He asked whether there was a need for additional research of the staff.

BISHOP Mr. Bishop noted that it would be his inclination to deny the road improvement waiver request strictly due to the safety reasons.

SCHENCK Chairman Schenck agreed and indicated that he did not feel comfortable approving the roadway based on what had been indicated.

LANDIS Ms. Landis noted that she would like to have further investigation on the project. She was not comfortable moving forward this date.

SCHENCK Chairman Schenck indicated he was not uncomfortable with the first three at all. In fairness they're fairly typical plan scale items. He thought there should be some traffic studies done, not a full-blown study, but to provide some data. They are going to do a preliminary plan and then a final plan.

RAUSCH Solicitor Rausch added that it would be a good idea to arrange a meeting on the site with Kinsley or another contractor and the developer to go over their plan.

MACNEAL Attorney MacNeal indicated that there are additional issues that they will continue to work through on the plan. She agreed that a meeting with all the interested parties would be good to assure moving the process forward.

MR. BISHOP MOVED WITH REGARD TO SD-07-04, RIDGE VIEW HEIGHTS, TO GRANT THE FOLLOWING THREE WAIVERS: WAIVER OF SALDO (289-13), SCALE AS INDICATED IN THE BOARD PLANNING MEMO; WAIVER OF STORMWATER (281-7.G) MINIMUM BOTTOM SLOPE AND WAIVER OF STORMWATER (281-7.1) SIDE SLOPES. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1; MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS ABSTAINED.

MR. BISHOP MOVED WITH REFERENCE TO SD-07-04, RIDGEVIEW HEIGHTS TO GRANT THE FOLLOWING MODIFICATION: WAIVER OF SALDO (289-15.F) TRAFFIC STUDY WITH THE LANGUAGE AS INDICATED ON THE BOARD BRIEFING MEMO DISTRIBUTED TO ALL PARTIES. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1; MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS ABSTAINED.

MR. BISHOP MOVED FURTHER WITH REFERENCE TO SUBDIVISION SD-07-04, RIDGE VIEW HEIGHTS TO GRANT THE WAIVER FOR SALDO (289-27) STREET LIGHTS. MR. SCHENCK WAS SECOND. MOTION CARRIED 4/1; MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS ABSTAINED.

MR. BISHOP MOVED WITH RESPECT TO SUBDIVISION SD-07-04, RIDGE VIEW HEIGHTS TO NOT GRANT TWO WAIVERS, WAIVER OF SALDO (289-32.A.3) ROAD IMPROVEMENTS. APPLICANT SHALL MAKE NECESSARY ROAD IMPROVEMENTS PER THE ORDINANCE; AND TO DENY THE WAIVER OF SALDO (289-22.B) CURBING. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1; MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS ABSTAINED.

SCHENCK Chairman Schenck indicated that should help with direction.

MACNEAL Attorney MacNeal responded that it absolutely would and expressed appreciation for the enormous amount of the time involved. They look forward to return for additional approvals during the summer.

Consensus of the board was to recess for five minutes at 10:05 p.m. The board reconvened at 10:10 p.m.

Recycling Credit Program/Voluntary Cart Service

SCHENCK Chairman Schenck noted that there were some attendees who had been waiting for the discussion on recycling program, voluntary cart service. He suggested that the item be moved up on the Agenda. The board had been provided with documentation and there had been previous discussion with regard to the toter deal and the Recycle

Bank Program. The board had requested a legal opinion, which had been provided from Unruh, Turner, Burke and Frees, which firm does municipal law. There were no legal issues of concern. He called for any further discussion.

LANDIS Ms. Landis stated that, even with the legal opinion, she believed there was somewhat of a change in the contract. She thought that York Waste would have an advantage of the next 2-1/2 years with the cart system. She was concerned about the broader picture in three years when going out to bid. She could not understand why a company would want to absorb the costs and not pass them along to the consumer. She favored recycling and would continue to encourage that, but as far as the proposal, she would be voting against both the Recycle Bank and the toter offer. She noted that she was not sold on the Recycle Bank rewards and would be more comfortable waiting until the new contract comes up, put that out to bid and see the results.

DVORYAK Mr. Dvoryak stated that he was always cautious when anybody provides something for free. He believed there is a short-term benefit to the residents. He was more concerned with the long-term benefit and whether there is a cost savings. He had read documentation of another municipality that had adopted the program and had it for three years and which is continuing the program. He questioned whether the board put something in place and it's not working, would there be the willpower to take something away from the resident. He had thought the two programs, York Waste toter program and Recycle Bank went hand-in-hand. In the case of it being two separate ones, he was more opposed to the free toter proposal than the Recycle Bank program.

BISHOP Mr. Bishop commented that he had always been a green advocate.

SCHENCK Chairman Schenck asked for public comment on the issue.

HOVIS Attorney Steve Hovis represented Penn Waste. He provided a number of comments summarized:

- Long-term effect ; proposal offered by York Waste; impacts
- Addendum to original contract dated 7/26/07
- Recycle Bank Program – Cadillac version and Basic version
- Basic version offered to Springettsbury – Equal share participation with other residents.
- Contractor responsible for payment of all disposal tipping fees – Recycle Bank will substantially reduce those costs and increase profit.
- Penn Waste never had opportunity to bid on that option; would have impacted quote.
- Mid-term change to contract previously bid as an alternate.
- Toter program – Marketed as voluntary but handled as mandatory; impacts method of pick up with one man truck.

DVORYAK Mr. Dvoryak questioned that if Penn Waste had received the contract and halfway through the contract had found a more efficient way to handle recycling that resulted in less tipping fees, whether they would not have pursued that. That would have driven down the amount of tipping fees. The tonnage was identified up front.

HOVIS Attorney Hovis responded that there was historical information provided along with bidding of recycle options. If the township wanted to implement a change mid-stream, it should be part of the next bid opportunity and not in the middle of the contract.

BOWMAN Mr. Bowman commented that during the Penn Waste contract, a change had been made with regard to the yard waste in the middle of the contract.

HOVIS Attorney Hovis noted that it had been part of compliance with DEP's requirements.

SCHENCK Chairman Schenck noted that it had reduced Penn Waste's cost.

BISHOP Mr. Bishop questioned why there was a big distinction between the two different Recycle Bank plans, the Cadillac plan and the Basic plan.

HOVIS Attorney Hovis responded that it directly impacts the costs.

SCHENCK Chairman Schenck asked whether there would be an issue to simply replace a toter that the residents are renting for one that could be picked up by a machine.

HOVIS Attorney Hovis did not have any problem with that because the same number of people that have toters had them when the contract was put in place. He noted, however, that the contract was bid and awarded on a three-bag basis. That would require two people on the back manning the truck. If the township wanted to bid it with that mandatory toter, then all the contractors could bid on the same contract at the next contract opportunity.

LANDIS Ms. Landis noted her concern, if the matter were to pass, that there will be an injunction and litigation, which costs taxpayer dollars.

BISHOP Mr. Bishop responded that would be the worst reason not to do something. They are actually discussing saving taxpayer's money.

DVORYAK Mr. Dvoryak questioned what the harm would be of waiting a few years.

BISHOP Mr. Bishop indicated that was a very valid point and one he could support.

ISABELLA Don Isabella, York Waste, responded to some of the issues. His comments and responses are summarized:

- Number of carts at contract time was 2,100. Residents do requests cars during the contract and should not be refused.

- Contract indicated that contractor would provide carts to any resident who requested one.
- Having a cart is voluntary.
- Recycle Bank Program – A savings will be received on the tipping fees but not a dollar-for-dollar direct savings.
- Solid Waste Authority will raise tipping fees.
- Education of recycling with residents important; rewards points encourages recycling.
- Contract is between York Waste and Recycle Bank; not Springettsbury Township.
- Average recycle credit about \$240/year.
- Local businesses will partner with Recycle Bank about 30 – 35% in the first wave.

GREENEWALT Bill Greenewalt, 2540 Schoolhouse Lane commented that there was nothing to stop Penn Waste from doing exactly what the current providers want to do. Township should be encouraging recycling with additional education. He thought it would be foolish for Penn Waste to discourage recycling.

DIANGELO Ron DiAngelo commented that if the resident receives \$10.00 that's more than they got with the regular recycling. Recycle Bank and the toter program are two different things. One is trash; one is recycling; not a joint option.

HOLMAN Mr. Holman noted that the projected amounts suggest an average of \$200 per year with national, regional and local businesses. The assumption is 624 pounds per year per household times 2.5 which is 1,600 points and the average point value is 10 cents. Increase in recycling generates an estimated \$53,000 off the state program grants driving the local economy. The result was projected at \$1.47 million annually added back into the local economy. The Recycle Bank representatives are fully committed to meet with local businesses during the first 90 days.

LANDIS Ms. Landis asked whether any grants would be affected.

BISHOP Mr. Bishop responded that it would not preclude the township from doing anything.

BOWMAN Mr. Bowman noted that when the bids are written for the next contract, there will be several more alternatives whether or not this passes.

HOLMAN Mr. Holman responded that there are normally alternates, especially in trash contracts.

SCHENCK Chairman Schenck indicated that his position had not changed. The legal opinion had been reviewed, and he was ready to vote.

DVORYAK Mr. Dvoryak stated that he thought everyone who worked on putting this together did a great job. He added that he was in favor of the concept of getting free toters for

the residents and having a recycling program that increases the recycling in the township. He did not see any harm in waiting until the bid contract comes up again to make sure it's a level playing field for everybody involved.

LANDIS Ms. Landis indicated that was her position as well.

MR. SCHENCK MOVED TO PROCEED FORWARD WITH IMPLEMENTING THE RECYCLE CREDIT PROGRAM AS RECYCLE BANK AND ALSO THE VOLUNTARY CART SERVICE MODIFICATION AS OFFERED BY THE CURRENT CONTRACTOR. MR. BOWMAN WAS SECOND.

BISHOP Mr. Bishop clarified that what the board is doing is advising the administration to move forward and no ordinances are involved.

HOLMAN Mr. Holman responded that the board is generally just indicating yes, move forward or don't move forward.

MOTION CARRIED 3/2. MESSRS. BISHOP, SCHENCK AND BOWMAN VOTED IN FAVOR; MR. DVORYAK AND MS. LANDIS VOTED AGAINST.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis stated that she had received an email from Mr. Hauseman which documented his opinion on the pet ordinance issue. She had made copies for the board. Mr. Hauseman wanted to make sure that the board received his opinion. He indicated that if there were any questions to please contact him.

RAUSCH Solicitor Rausch noted that the Zoning Amendment Ordinance that included the pet item has 60 days before it would be necessary to re-advertise.

LANDIS Ms. Landis noted that Mr. Hauseman could not make the meeting but he wanted to have each board member respond to him.

DVORYAK Mr. Dvoryak commented that, due to the late hour, one of the items to be placed on the next board agenda would be the still unresolved Wastewater Treatment odor issue, for which he continued to get calls and complaints. There was a report in this week's packet which falls far short of addressing the issue.

BOWMAN Mr. Bowman stated that he lives in Haines Acres and is very well aware of the speeding and the intersections previously discussed. He does not need to sit on anyone's front porch to see it first-hand since he and his wife walk through there. He indicated there are a lot of emails going back and forth about the issues. His brother lives two houses away from the intersection in question, and it is bad there as well as other places. Mr. Bowman stated that he drives through the area several times each day. Mr. Bowman took exception to the statement that he does not care about the situation because he does care.

SCHENCK Chairman Schenck added that he felt the same way. Somehow relatively quickly, the perception had surfaced that all of a sudden the board members do not seem to care or know what we're doing.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated that he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman had nothing to add to the Manager's Report.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-39 – Confirming the Actions Taken by York Area United Fire & Rescue Commission Approving a Collective Bargaining Agreement with Local 2377 International Association of Firefighters.

SCHENCK Chairman Schenck noted that item A covered a Resolution recognizing the contract so that they can close out other open items with the labor union. The YAUFRR board has raised a question as to whether there would be other procedural things that have to be done.

HOLMAN Mr. Holman responded that staff, between Spring Garden, Springettsbury and Chief McCoy were taking the lead at this point. They will be working together to implement the contract. As they move forward and find additional things, they will bring them back to the board for consideration and action if necessary. The Charter Agreement is very clear on what to do, but there will be some things that will continue to be addressed and reported. He noted that Chief McCoy was doing a good job of leading the effort and moving forward with the transition.

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-39 CONFIRMING ACTIONS TAKEN BY YAUFRR APPROVING THEIR COLLECTIVE BARGAINING AGREEMENT WITH THE UNION. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Advertise Ordinance Establishing a No Parking Zone on Stonybrook Drive, north side, from Silver Spur Drive to a point 300 feet west of Silver Spur Drive.

MR. DVORYAK MOVED TO AUTHORIZE TO ADVERTISE ORDINANCE ESTABLISHING NO PARKING ZONE ON STONY BROOK DRIVE NORTH SIDE TO SILVER SPUR DRIVE TO A POINT 300 FEET WEST OF SILVER SPUR DRIVE. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

Consensus was to drop item A from an Old Business item.

B. Recycling Credit Program/Voluntary Cart Service

This item was acted upon earlier during the agenda.

C. Springettsbury Township Benefits Policy Manual

SCHENCK Chairman Schenck questioned whether the discussion should be held due to the lateness of the hour. He indicated he had a few points for discussion.

LANDIS Ms. Landis responded that she had several points as well.

DVORYAK Mr. Dvoryak noted that there were several items identified during the work session that could use some direction.

BISHOP Mr. Bishop commented that he thought all of the issues had been addressed.

SCHENCK Chairman Schenck noted that he had two items he questioned, and it appeared that the pension amount stayed at 9%. He did not think it was wise to modify the vacation schedule.

Discussion summarized herewith:

- Vacation Schedule - Decision was not to change it and adopt it with the existing schedule.
- Bereavement Leave – Consensus was not to have a specific restriction; also included the word “current” with regard to relatives based on today’s society.
- Family Medical Leave Act – Currently statutorily required; also included.
- Sick Leave – Included a disability period for extended sick leave.
- Pension contributions remain the same.

DVORYAK Mr. Dvoryak suggested that the board consider an overall evaluation of the compensation and benefits package to determine that what the township offered is competitive with the market place. He added that one item for discussion was the concept of a Paid Time Off plan to replace various days off. He thought such a plan would streamline the administrative process and would be well received by employees.

SCHENCK Chairman Schenck agreed and thought it would be an excellent project.

MR. BOWMAN MOVED TO APPROVE SPRINGETTSBURY TOWNSHIP BENEFITS POLICY MANUAL AS AMENDED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. York County Tax Commission Coalition Update

Consensus of the Board was for Mr. Holman to provide reports as appropriate.

14. NEW BUSINESS

There was no New Business for discussion.

15. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session to be held immediately after the meeting. He adjourned the meeting at 11:10 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
SPECIAL MEETING**

**MAY 7, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Special Meeting on Friday, May 7, 2010 at 12:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Dori Bowders, Manager of Administrative Operations

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 12:00 p.m.

HOLMAN Mr. Holman stated a meeting was held on April 28, 2010 by the County Emergency Management Agency with the Pennsylvania Emergency Management Agency to provide information to the municipalities to receive reimbursement for the snow events that occurred earlier this year. He said the Township is entitled to receive \$34,146.67 in reimbursement. Part of the required documentation includes a resolution designating an agent from the Township to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The designated agent will attend the May 11, 2010 follow-up meeting to execute all of the forms for reimbursement. Mr. Holman is requesting that Steven Anderson, Public Works Superintendent be the designated agent on behalf of the Township.

MR. BOWMAN MOVED TO DESIGNATE STEVEN ANDERSON, SUPERINTENDENT OF PUBLIC WORKS AS THE TOWNSHIP'S AGENT TO EXECUTE ALL REQUIRED FORMS AND DOCUMENTS FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 12:03 p.m.

Respectfully submitted,

John Holman
Secretary

dkb

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 22, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 22, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

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

NOT IN

ATTENDANCE: John Holman, Township Manager

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
Jim Baugh, Community Development Director
John Luciani, Civil Engineer
Mike Schober, Environmental Engineer
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Police Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Bill Schenck called the meeting to order at 7 p.m. He thanked the public for their attendance and led the Pledge of Allegiance. Chairman Schenck stated that Manager John Holman would not be in attendance as he was out of town on other township business.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting; however, one was scheduled for this date following the Regular Meeting to discuss some personnel issues.

3. COMMUNICATION FROM CITIZENS

HOLLAND Stephanie Holland, 405 Cortleigh Drive, brought forward several items. She asked about the activities of a survey crew on Kingston Road.

LUCIANI Mr. Luciani responded that their project was to document the width of the roadway on Kingston due to parking restrictions. The data is necessary for decision making in traffic evaluation.

HOLLAND Ms. Holland thanked Springettsbury Police Department as they had been out in full force and had been citing motorists. She reported that motorists had started to slow down especially during rush hours when the police were on site. Although there still is a problem, enforcement had been fantastic.

Ms. Holland presented a petition with regard to the canine issue with an additional 298 signatures.

SCHENCK Chairman Schenck indicated that he had met with Mr. Holman prior to the meeting. He noted that the last activity regarding the Canine Program was a request of staff and the union to review any kind of agreement that would satisfy the FLSA requirements and also the needs of the labor union. He had been advised that a document had been created and is in the hands of the police union. This would be a requirement modification of the union contract, which process was to be followed to see if there was a way it could be done. He hoped that process could be completed quickly for further review by the board.

CHRISTENSEN Diane Christensen, 4281 Old Orchard Road questioned the progress on the canine program.

SCHENCK Chairman Schenck responded and noted that there had been an agreement with the officer who kept the dog, which essentially became a labor management contract, and which had exposed the township to costs of which they had not been fully aware. Chairman Schenck understood that a draft had been created but that it will need to be ratified by the police union and he understood it was in their hands for review. Once that is completed, the board can resolve other issues and make a decision.

CHRISTENSEN Ms. Christensen indicated that they are attending the Springettsbury Citizens Police Academy, which had been very informative. It provided the citizen more respect for the policemen. It was discussed how helpful the canine was, especially with drug problems.

Ms. Christensen commented on a dog problem in their neighborhood in view of the consideration of animals in households. She noted that they had lived in their development for 30 years and over the years people had moved in with a number of dogs. At this time they are surrounded by 11 barking dogs and cannot enjoy lunch or dinner on their deck due to the dogs barking. Additionally, the dogs do their business in the yard and they have to smell it. There are also a large number of cats in the area as well that destroy their property, kill rabbits and birds. The cats intrude on their patio furniture even though they cover it. Mr. and Mrs. Christensen have no animals. She encouraged the board not to add to the number

of animals permitted in households and to consider focusing on irresponsible pet owners.

CHRISTENSEN Mr. Christensen commented that because there are no ordinances against noise he could get up and mow his lawn at 6 a.m. He noted that because of the barking dogs he had been wakened very early in the morning with the barking. Another night the dogs were barking from midnight till 3 o'clock in the morning. He was amazed that there are no means of enforcement.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober reported that Mr. Crabill had provided a written report. He stated that the project at the plant was moving along with the break in the weather. The contractor had brought in more crews, and progress was evident. He reported that the PHMC required a Phase I Archeological Study concerning the Meadowlands Pump Station. He expected results in the near future. He added that the project had been designed about a year ago.

SCHENCK Chairman Schenck commented that the BNR Project plant will be done sometime in the spring of 2011. He suggested planning what could be done in the way of an Open House or Dedication as the plant serves eight communities.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had provided a written monthly report. He provided a few updates summarized:

- **BIGGY Move** – April 25 in the evening the transformer will move from Wrightsville on Market Street to Route 124, Edgewood Road, south on Edgewood through Windsor with ultimate destination to a quarry with port access to the Chesapeake Bay. I95 will be closed for 15 to 20 minutes. The transformer is 300 feet long and 20 feet wide. All signal heads and tether lines for traffic signals will be moved out of the way and then replaced.
- **PSATS Convention** – Mr. Luciani and Mr. Holman attended the convention. Mr. Holman provided a presentation.
- **Re/MS4** continues to evolve with a new requirement to see the system of the community. This will require putting some effort into that system. In addition, a traffic studies seminar was held with information on who can do studies and what questions are to be answered. Springettsbury follows those practices regularly.
- **Re/www.511.com** - If a motorist is on a PennDOT roadway and has a mobile device in hand, PennDOT has a new website: www.511.com which provides traffic data, traffic jams, etc. in order to avoid congestion and problems on the highway.

- MPDS Rules – New buffer requirements along streams that cannot be within 150 of each side of the stream. When these rules are implemented there will be a significant impact on development; more difficult to develop parcels.

5. CONSENT AGENDA

- A. Acknowledge Receipt of March 31, 2010 Treasurer's Report.
- B. Board of Supervisors Regular Meeting Minutes – April 8, 2010.
- C. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 10 in an amount not to exceed \$99,621.
- D. Regular Payables as Detailed in the Payable Listing of April 22, 2010.
- E. SD-08-03 – Time Extension – Pam Long – Plan Expires 5/25/10 (New Plan Date 8/25/10).
- F. SD-06-11 – Time Extension – 3308 Becker Tract – Polan Expires 4/25/10 (New Plan Date 7/25/10).
- G. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 5/31/10 (New Plan Date 8/31/10).
- H. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 4/26/10 (New Plan Date 7/26/10).
- I. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 5/26/10 (New Plan Date 8/26/10).
- J. LD-09-03 – Time Extension – Rail Trail – Plan Expires 4/27/10 (New Plan Date 7/27/10).
- K. LD-08-12 – Time Extension – Yale Electric – Plan Expires 5/25/10 (New Plan Date 8/25/10).

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH K.
MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

6. ACCOUNTS PAYABLE

There were none for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Execute York County Quick Response Team Mutual Aid Agreement.

SCHENCK Chairman Schenck introduced item A and stated that Mr. Holman had provided documentation including the number of training hours that had been dedicated to the program. The township had dedicated a significant investment in the team which functioned all over York County. He asked Chief Eshbach whether it was an annual authorization.

ESHBACH Chief Eshbach commented that the township had been a member of the Quick Response Team for eight years. He noted that it is a re-execution of the document that was originally created in 2002, re-executed in 2005. Because there is a new

District Attorney a request was made for a new document for his signature along with the current York County Commissioners.

DVORYAK Mr. Dvoryak asked whether he recommended the action.

ESHBACH Chief Eshbach responded that he recommended the action.

MR. DVORYAK MOVED TO AUTHORIZE EXECUTING THE YORK COUNTY QUICK RESPONSE TEAM MUTUAL AID AGREEMENT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

SCHENCK Chairman Schenck noted that he had been reminded that the Census had passed the point where one could mail in a Census response. They now have to be phoned in. The statistics for Springettsbury were received a few days ago and the participation rate was 83%. The last time the Census was done Springettsbury was at 87% response rate. He mentioned this because he hoped to get the word out as to how important it is to the community for an accurate census. It drives a lot of external funding that is received from the county, state and federal government. He wanted to get the message out that it is not a threat to be counted and how important it is.

LANDIS Ms. Landis thanked Messrs. Hodgkinson and Crabill for taking her on an interesting tour of the plant. She thanked Chief Eshbach for recognizing the achievements of the police force. She noted that the April 9th ceremony was impressive and highlighted the commitment of the police force.

DVORYAK Mr. Dvoryak commented that, in Mr. Holman's absence, he did not want to lose sight of the sewer issue on Druck Valley Road.

SCHENCK Chairman Schenck responded that Mr. Holman advised that he will provide a comprehensive report.

10. SOLICITORS REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

11. MANAGER'S REPORT

SCHENCK Chairman Schenck stated that each supervisor had received Mr. Holman's written report. He indicated if there were any questions they should be directed to Mr. Holman.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2010-04 – Amending the Code of Ordinances – Chapter 325 to Update Articles II, XI, XII, XX, XXIV, XXV, XXVI, XXVII and XXIX.

SCHENCK Chairman Schenck indicated that item A covered a comprehensive ordinance change, which included the reference to pets. However, the rest of the document had a volume of information. He had requested Solicitor Rausch to provide a draft of the ordinance that struck the pet reference in order to move forward with the rest of the changes. The ordinance had been advertised and hearings were held. He noted that he did not think the board was ready to make any decision on the pet issues and by separating that it provided additional time for debate and decisions.

MR. BISHOP MOVED TO ADOPT ORDINANCE 2010-04 IN ITS ORIGINAL FORM AS ADVERTISED. MR. BOWMAN WAS SECOND. MOTION FAILED 1/4. MR. BISHOP VOTED YES; MESSRS. SCHENCK, DVORYAK, BOWMAN AND MS. LANDIS VOTED NO.

MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 2010-04 AS PRESENTED WITH THE EXCLUSION OF ITEMS RELATED TO DOMESTIC PETS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck stated that he had investigated the issues surrounding the pet matter. He reported that he found many different available alternatives of dealing with the situation. Springettsbury does not have a barking dog ordinance.

LANDIS Ms. Landis noted that she had researched the matter as well. Her main question related to establishing a goal, i.e., limiting the number of pets per household or to focus on the negligent pet owner, which she favored, and to tighten up the ordinances with nuisance restrictions.

BISHOP Mr. Bishop expressed his goal, which is the matter of enforceability. His understanding of nuisance ordinances was that they are difficult to enforce. There would be no point to having laws that are unenforceable. He added that a zoning ordinance approach would provide an additional layer of control with a different enforcement mechanism, which he felt had value.

LANDIS Ms. Landis responded that any zoning enforcement officer would indicate that it is a zoning enforcement nightmare.

- SCHENCK** Chairman Schenck noted that he had seen some standards written concerning constant barking, but there would be the need for a strong nuisance ordinance as well. One municipality in Virginia required a special permit to have additional dogs.
- ESHBACH** Chief Eshbach noted that Springettsbury had never had a barking dog ordinance. They enforce the law under the disorderly conduct state statute.
- BAUGH** Mr. Baugh added that there is a dogs running at large ordinance, also by state statute.
- LANDIS** Ms. Landis indicated that she would like to know the percentage of how many complaints had been received over the past two years with regards to this specific topic.
- BISHOP** Mr. Bishop indicated that the board's job is come up with the best solution possible for whatever situations are brought forward. He thought there were reasoned approaches to several different things for review.
- LANDIS** Ms. Landis agreed but noted that she did not believe local government should mandate or intrude in an individual's right to have a pet.
- SCHENCK** Chairman Schenck stated that was why it was necessary to debate the issue. The document is in draft form. He did note, for the record, that if there is no limit to the number, where it would stop. Everyone in the community has the right to enjoy their surroundings.
- BISHOP** Mr. Bishop commented that some of the advice received from the Judge in the recent court case was to create a reasonable ordinance and enforce it.
- SCHENCK** Chairman Schenck responded that the whole matter began with an attempt to make sure there would not be kennels operating without the requirements necessary.
- BOWMAN** Mr. Bowman noted that in some cases only one dog is too many if that animal continually barks. He would be very annoyed with a neighborhood barking dog. He added that it could be a deterrent to the sale of a home.
- DVORYAK** Mr. Dvoryak indicated he agreed with Ms. Landis' comment on establishing the goal; was it to limit the number of pets or control problems related to irresponsible pet owners.
- SCHENCK** Chairman Schenck indicated that there were several things to consider. He commented that people violate laws every day, and the ugly fact is that none of these matters would be necessary if it weren't for the 3% of the people who are

disrespectful to the rest of the community. It is difficult to draft something that can meet everyone's needs to control the behavior of a few.

CHRISTENSEN Mr. Christensen noted that nothing is being done unless the citizen complains.

SCHENCK Chairman Schenck responded that he was correct; no action would be taken until a complaint is filed. That's the practice. Chairman Schenck commented that the board obviously has homework to do. Solicitor Rausch had heard some things and some consolidation can be done. He hoped to be able to continue the review and find something comfortable for everyone. He added that, in spite of the enforcement issues, there is a need to address the barking and other common nuisances, and to discuss a strategy for putting it under zoning as well because the burden of proof and enforcements are different depending on the situation.

BISHOP Mr. Bishop stated that some things are enforceable and they have to be very cognizant of what can be enforced or not.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had not received any information and commented that the Chairman of YorkCounts was in the audience.

HOVIS Attorney Hovis responded that there was nothing new.

B. Recycling Credit Program/Voluntary Cart Service

SCHENCK Chairman Schenck stated that item B is ready for potential action. He noted that had had promised Attorney Hovis time to speak.

HOVIS Attorney Hovis asked whether a presentation had been held previously.

SCHENCK Chairman Schenck responded that there had been presentation two or three meetings ago. Representatives of the Recycling Committee were in attendance who had worked very hard on this for a long period of time.

HOVIS Attorney Hovis of Stock and Leader, represented Penn Waste and Scott Wagner, President of Penn Waste, Inc., as well as Ed Ward, a municipal manager for most municipal contracts of Penn Waste. He noted that in 2007 Springettsbury Township went out for bid and awarded a contract for solid waste and recycling services and at that point in time there were certain options that were identified as alternates to that contract. A proposal had been presented that will change or alter those options that were provided and bid under that contract. He indicated that there are benefits to the program, but there are ramifications as well as to the

legality of implementing the changes in the middle of the contract. He introduced Scott Wagner of Penn Waste for further information.

WAGNER Scott Wagner stated that he was there to discuss the Recycle Bank option. He was familiar with Recycle Bank. He noted that in a recent bid in Lower Paxton Township where there were two options: cost of the base waste service without Recycle Bank and an option with Recycle Bank. The cost range was between \$3.00 and \$5.00.

A lengthy discussion followed, which is summarized:

- Recycle Bank program is free to residents; York Waste to absorb the cost.
- Statistics indicate Recycle Bank will boost recycling awards by 50%.
- Proposed as cash savings for residents; revolves into a coupon program.
- When contract is rebid in 2-1/2 years there will be a cost involved.
- Township is not committed to the program into perpetuity.
- Legality argument – bid never included the Recycle Bank option; should be rebid or tabled until 2013 bid time when current contract expires.
- Trucks modified to pick up containers; may be some safety issues.
- Recycle Bank only proposed flat rate program to the township.
- Question as to how many businesses will participate.
- National retailers only involved until implementation; Recycle Bank will then solicit local merchants during 90-day period. Stimulate local economy.
- Toters offered to residents free of charge.
- Legal counsel for township reviewed with no issues; may solicit a second outside opinion.
- Current waste hauler has not changed any services for which they contracted.

DIANGELO Ron DiAngelo reported that the Recycling Committee had determined it would be a winning situation for the residents because they have the option of taking the toter. Those that have the toter will get the extra money back every quarter and also by increasing participation in recycling program people can get the gift cards. It will also help the recycling numbers and aid the residents. The Recycling Committee gave its approval and hopes that the board will approve the program as well.

STUHRE Charles Stuhre, member of the Recycling Committee, commented that it appeared that it may be challenged in a court of law, which would run costs up in the township. He suggested that the matter be tabled until a later time to avoid any lawsuit.

BOWMAN Mr. Bowman commented that he could see a potential public relations issue in the future. Those who get a free toter now might not be able to get the free toter in the future and it may be taken away or they may be billed an extra cost.

PURGOLESE Mr. Purgolese noted that the offer for the carts is not contingent on the Recycle Bank program. For the Recycle Bank program a RFIB label will be mailed to all residents with instructions for application. York Waste will cover the cost of mailing letters out to township residents and field calls from residents upon implementation.

MR. BISHOP MOVED TO AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIALS TO MOVE FORWARD WITH THE RECYCLE CREDIT PROGRAM WITH VOLUNTARY CART SERVICES AS OUTLINED TO THIS BOARD. THERE WAS NO SECOND. MOTION FAILED.

RAUSCH Solicitor Rausch noted that the board should solicit an independent legal opinion both for the township and his satisfaction.

DVORYAK Mr. Dvoryak noted that he needed clarification that short term gain would not be traded for long term pain for the township in terms of the claim of competitive disadvantage when the contract is re-bid in 2013. He wanted to better understand all the facts.

SCHENCK Chairman Schenck stated that the offer on the table will save money and increase recycling, which had been documented. The free toter will save people money. He was not afraid of a supposed advantage in the bidding in 2-1/2 years. Trash contracts are very competitive. If an independent legal opinion is received that is favorable, he would vote yes.

BISHOP Mr. Bishop asked if he was comfortable at this point directing the Township Manager to solicit a second legal opinion to move that forward.

DVORYAK Mr. Dvoryak stated that he would do some additional research.

Consensus was to table item B in order to solicit a second legal opinion.

C. York County Tax Commission Coalition Update

SCHENCK Chairman Schenck reported that Mr. Holman indicated that the York County Tax Commission Coalition voted that nothing should change.

14. NEW BUSINESS

A. Motion to Confirm Results of Municipal Bid Auction of Computer Equipment

SCHENCK Chairman Schenck reported that the board received the results of the on-line bids for the computers. The board needed to ratify the results.

MR. BISHOP MOVED TO RATIFY THE RESULTS OF MUNICIPAL BID AUCTION OF COMPUTER EQUIPMENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck reminded the board of a May 13th Pension Board meeting at 5 p.m., and a Public Hearing on May 27th at 6 p.m. to cover the Cable TV Contract.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9 p.m.

Respectfully submitted,

Created in Mr. Holman's absence by the stenographer.

John Holman

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION – BENEFITS POLICY MANUAL**

**APRIL 15, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, April 15, 2010 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: George Dvoryak, Vice Chairman
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

DVORYAK Vice Chairman George Dvoryak called the work session to order at 7 a.m.

2. BENEFITS POLICY MANUAL DRAFT

HOLMAN Mr. Holman explained that he and the staff had been working for several years on the policy manual updates. He indicated that the work session this date was intended to cover an update to the benefits policy manual and that the last time it had been updated was in March of 1997. He reviewed the process which included a review of all federal and state statutes, the Springettsbury Municipal Code, township meeting agreements, pension fund agreements, as well as any resolution, policies, letters and documents since 1997. He thanked Mrs. Speicher, Mrs. Bowders and Attorney Pat Harvey and staff for their assistance.

LANDIS Ms. Landis asked when the board would discuss the Employee Policy Manual.

HOLMAN Mr. Holman responded that it would be done at a future date, and the benefits would be addressed at that time.

The board reviewed a voluminous amount of detail throughout this meeting, and a listing of main points is summarized:

- Work Week – Over 30 hours is full time; under 30 hours full time/part time permanent benefits are pro-rated. All full time people work a 40 hour work week.

- Health Insurance – To be eligible for health insurance, employee must work over 30 hours a week. Non-union health insurance follows same costs and benefits as union contracts except Teamsters’ Health and Welfare Plan, which rate is slightly different.
- Retirement Plan - 401K employee calculation – proposed increase to 9-1/2% effective May 1st. (Need for additional review).
- Recent Teamsters contract approved moved their contribution to 9-1/2%. Ordinance would have to be amended.
- Pay Increases – Non-union employees received 3% maximum pay increase in 2009.
- Employee Appreciation Events – Municipality unable to provide events due to statutory restraints. Events are challenged due to spending taxpayer dollars. Length of service bonuses is permitted.
- Disability – Paid by insurance company for current plan year. Employee must remain off for a period of 90 consecutive days.
- Overtime – Changes will bring existing policy into FLSA regulation. OT must be authorized by supervisor or designated representative unless such work is necessitated by extenuating circumstances. (Decision to remove the “extenuating circumstances statement). Employee working OT without approval is subject to discipline. Currently there are no OT issues.
- Comp Time – Not permitted.
- Employee Development – Approval forms provided for requests to attend educational classes, etc. Reporting of attendance at conference or seminar must be completed within one week and presented to supervisor, human resources. Township pays tuition costs and seminar costs if related to employee’s employment position. Township Manager’s attendance covered by his employment agreement.
- Vehicles – Mileage for use of personal vehicle paid with current IRS rate. Township vehicles must be scheduled for use only for employees. Must have valid driver’s license. Insurance covered by township. Broader coverage extended for Township Manager’s and Police Chief’s vehicle. Additional extension of use of vehicles to those with business relationships with the township, volunteers but must have own insurance.
- Internet Access of plan – Employees receive complete copy. Ms. Speicher is available for questions or assistance.
- Leave of Absence – Paid leave must be used prior to unpaid leave; must be approved by Township Manager
- Sick Leave – Three or more days require doctor’s statement to Mrs. Speicher with diagnosis and return to work date. Sick leave can be broken into minimum of one hour for dental appointments or half days or whole days. All sick leave policies have been reviewed by Personnel Attorney Pat Harvey. One year of service – 12 days of sick leave; following that one day a month is added. Maximum sick leave – 90 days. No reimbursement for unused sick leave upon termination of employment. Compensation on a percentage basis provided for firemen. Employee must call direct supervisor or receptionist to advise sick day. Voicemail or email is not acceptable. Family Medical Leave Act is statutory definition.

- Paid Time Office – Concept of PTO should be kept on the table for consideration; eliminates abuses, administrative headaches, holidays, etc.
- Military Family Leave and Militant Care Giver – Follows statutory definition; expect changes to come within six to nine months. Township follows Pennsylvania Military Leave and Absence Act.
- Bereavement Leave – Paid 20 hour leave provided; ends day following funeral.
- Administrative Leave; Jury Duty- Township reimburses meals and parking.
- Holidays – Ten paid holidays per year. Non-union employee’s holidays coincide with Teamsters holidays.
- Vacation – One year – 5 days; two years – 10 days; eight years – 12 days; 10 years 15 to 20; after 15 years – 20 days. Plus 4 personal days and 10 holidays. Requests for additional time off must be approved by Mr. Holman.
- Grievance Process – Documented in the policy manual.
- Workers Comp – Defined in policy manual.
- Weather Emergencies – Township remains open for emergencies. Personnel may leave with permission.
- Leave Without Pay – Clarify as “Extended Leave of Absence Without Pay.”
- Internet Computer Policy – Continuing review. Suggested payroll deduction page to list all potential deductions available; educational and information for employee.
- Health Savings Plan – Not currently available; need for additional review. Township is self-funded and IIC rules are different.

DVORYAK Vice Chairman Dvoryak thanked everyone for all the effort and work they had put into this project to date.

BOWMAN Mr. Bowman noted that it was fortunate to have people that have been around for a long time involved.

HOLMAN Mr. Holman noted that it had been a great help and extended his thanks.

3. ADJOURNMENT

DVORYAK Vice Chairman Dvoryak adjourned the meeting at 9:20 a.m.

Respectfully yours,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**APRIL 8, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, April 8, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Don Bishop
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: Bill Schenck, Chairman
George Dvoryak, Vice Chairman

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Bob McCoy, YAUFRR Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

BISHOP Don Bishop called the meeting to order at 7:00 p.m. He reported that Messrs. Schenck and Dvoryak were unable to be present. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

BISHOP Mr. Bishop announced that no Executive Sessions were held since the last public meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

FERNANDEZ Mr. Dave Fernandez, 1843 Wallace Street, addressed the issue of the canine force. He hoped the Supervisors would vote in favor of the force. He provided a petition in favor with 120 names and intended to get more, which he gave to the board.

HOLLAND Stephanie Holland, 405 Cortleigh Drive, spoke with regard to the speed and traffic issues in Haines Acres. She thanked the Springettsbury Police Department

for their assistance and being out in force in the neighborhood. She added that there is great support for permanent assistance in traffic calming. She provided the board with additional letters of support and the petition she had created with signatures she had obtained.

Some discussion took place with regard to a standard petition that could be provided for residents on the website; however, it would necessarily have to be generic depending upon the matter involved.

GRIESS Bob Griess, 410 Meridian Lane, spoke on the traffic issues on Kingston Road. He had brought up the problem of speeding on Kingston Road on other occasions but had not seen anything happen. He cited several dangerous situations that he had observed. He stated that something had to be done.

MCCARTHY Joe McCarthy, 2640 Kingston Road, echoed Mr. Griess's comments and requested 4-way stop signs at Sundale and Cortleigh. He cited several situations he had observed with speeding and traffic violations.

RAUSCH Solicitor Rausch responded that first, it would be necessary to do a traffic study for support of a 4-way stop sign. He added that a 4-way stop sign normally must meet certain criteria in anticipation of a traffic signal. He added that 4-way stop signs are not recommended as an implementation for speed control.

BISHOP Mr. Bishop stated that the study is requested and done by the county and then the request goes to the Commonwealth. He added that other studies of a similar nature had gone through the process and been denied.

RAUSCH Solicitor Rausch indicated that sometimes the state takes the position that if the speed limit is 25 and everybody is going 35, the speed limit should be 35. That is the logic that the speed limit should be what the traffic and the roads can ideally safely bear.

MCCARTHY Mr. McCarthy responded that, along with all the studies, a group of people have all indicated the same thing. He asked whether the people who live in the area have any input at all.

RAUSCH Solicitor Rausch responded that by itself, no, it's all in the numbers and counts.

MCCARTHY Mr. McCarthy noted that having the police monitor the traffic does well for the day they are there. He suggested parking a police car on Kingston with a dummy in it. That might slow them down for one day.

HOLLAND Ms. Holland responded to Solicitor Rausch's comment regarding raising the speed limit. She noted there are 2 churches and 2 schools and a playground and raising a speed limit there would be absolutely absurd and made no sense to her.

- RAUSCH** Solicitor Rausch noted that there had been situations where that was exactly what had taken place.
- HOLLAND** Ms. Holland responded that that won't happen in her neighborhood because she won't let it and she thought the board would agree that it would be absurd in that area.
- WOO** Karen Woo, 3220 Forrest Lane, spoke about the traffic and speeding problems. Her residence is very close to the intersection of Cortleigh and Forrest Lane. She cited situations that she had observed in her neighborhood and noted the fear of the residents' safety. She also mentioned the potential widening on Prospect Road, which will increase the traffic cutting through her neighborhood. She requested a speed bump both going up and down the hill.
- GRIESS** Mr. Griess commented that his son lives in Brandon, Florida where there are over 1,000 homes in the complex where he lives. In one month they put 4-way stop signs at every intersection, in addition to speed humps on every street similar to those on Vernon.
- BISHOP** Mr. Bishop noted that there are two big differences. One is that there is no snow in Florida, and secondly, Springettsbury Township is a creation of the Commonwealth of Pennsylvania. As such, the township has to do things in accordance with the Commonwealth rules.
- GRIESS** Mr. Griess questioned the traffic signage at East Market Street and Haines Road. He noted a yield sign on green to make a left turn, but there is none at Eastern and Haines Road. In addition there was one at Walmart. He asked for an explanation.
- BISHOP** Mr. Bishop responded that it was another good illustration where those are both state roads.
- GRIESS** Mr. Griess noted that they're state roads but asked whether the township had tried to change it.
- BOWMAN** Mr. Bowman mentioned that it had to do with the width of the road which dictates where there can't be a yield on green.
- ESHBACH** Chief Eshbach responded that road width and sight visibility are things PennDOT takes into consideration.
- GRIESS** Mr. Griess indicated that his point is to continue to try. He added that PennDOT is not as swift as people like to think.
- ESHBACH** Chief Eshbach stated they are not very swift at all.

GRIESS Mr. Griess added a comment concerning the traffic circle on Eastern Boulevard. He noted a chunk of cement out of the circle and indicated that the residents hate it. He couldn't see how a fire truck could go through.

BISHOP Mr. Bishop provided commentary in order to keep things in perspective. The circle and the speed bumps on Vernon were an experiment that the township did in traffic calming as a result of the people that were complaining just like these complaints. There were residents who wanted something done about traffic and speed in that area. Research was done in traffic calming, and with the approval of 70% of the residents, some funds were spent for the installation. Some period of time passed and the residents in the neighborhood came back and said it made matters worse with a request to remove the speed bumps. That was the last experiment. The matter before the board now is to figure out what was learned from that and what it means for the future.

HOLLAND Ms. Holland noted that the speed humps were not the Watts speed bumps. Those can be driven over doing 25, 30 miles per hour. She had three examples of those and will provide them to the board.

RAUSCH Solicitor Rausch indicated that one of the problems with the Vernon Street humps was that the motorists were still racing to get through the light at Market Street, and they were going airborne, which created additional noise issues so that is a consideration for the neighbors to keep in mind that it may or may not slow the traffic down.

BISHOP Mr. Bishop stated that there are answers for the board to look for and that is the plan. The traffic counts are being done in the neighborhood to determine the volume of traffic, and following that they will discuss some things with the engineer and the manager to determine what options are available both physical and legal. The residents can be assured that they will not only be looking for a solution that pertains to Kingston and Cortleigh, but also looking at the whole township and what other problem areas there are.

RAUSCH Solicitor Rausch asked when the Market Street/Mt. Zion project will get underway.

HOLMAN Mr. Holman responded that the contract for Market Street and Mt. Zion was awarded and they are beginning to move utilities and the project will continue through the summer of 2011. Market Street is being widened from Locust to Market and Mt. Zion and the township had contributed funds to widen Market and Mt. Zion itself in the intersection to improve traffic flow and provide for a safer intersection.

RAUSCH Solicitor Rausch noted that he wanted those in the neighborhood to know that during the time the intersection is under construction, people are going to be cutting through the neighborhood to get to Edgewood.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill had provided his written monthly report to which he had no changes. He provided some updated photographs of the BNR project.

LANDIS Ms. Landis asked about the Eberts Lane project. She noted a comment in his report that the changes to the bridge design had not been completed. She asked for clarification.

CRABILL Mr. Crabill responded that the Eberts Lane Bridge is not being drastically changed and the township facilities are not being affected at the Eberts Lane Bridge. They're moving forward with that project. The Sherman Street bridge design is not complete. Mr. Crabill reported that they have been in contact with PennDOT's engineer. There was a set of plans, which were reviewed and moved through all the processes for altering the sanitary facilities, and then it was put out as a design build, thus making it necessary to be redone. The contractor wanted to change the design of the bridge, which would have affected township facilities more. That was brought to their attention and they supposedly were scaling it back. Confirmation of that has yet to be received. He noted that on Eberts Lane the paving gets close to township facilities on the township side of Eberts Lane close to one manhole cover. They are watching to make sure there are no grade adjustments and to make sure that it is done correctly.

LANDIS Ms. Landis thanked him for the clarification.

BISHOP Mr. Bishop asked whether everything was moving ahead with the big project.

CRABILL Mr. Crabill responded that everything is moving forward. He called attention to the photographs, which indicate daily changes. He noted that there are a lot of crews on site.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani responded to a question about the cost of some of the traffic improvement and specifically the circle on Eastern Boulevard that was added. The contractor that built the project in the area of the Ohev Shalom Temple paid for all those improvements. It was negotiated through a Developer's Agreement with some needed waivers and it was done to mitigate concerns that residents had regarding traffic volume there. The physical improvement was done by

Keystruct. However, the township had spent funds in other locations for traffic calming. Mr. Luciani provided several updates to his written report:

- Sheridan Road – 17-unit residential development near the Legion. The developer will go to the Zoning Hearing Board as they have double frontage lots, which will be difficult to develop. They have double frontage lots and need a rear yard, which is necessary for any residential project.
- Senior Life Sink Hole – The hole was sealed, paved and closed and they are in the process of converting their stormwater basin from erosion control to stormwater stage. They will occupy the building very shortly.
- Harley-Davidson Signal Plan – The timing was changed about a week ago. He had not heard of any complaints.

LANDIS Ms. Landis asked how many acres were involved in the proposed 17-unit development.

LUCIANI Mr. Luciani responded it was about 4 or 5 acres. They are duplex homes. He noted that the board would see the plan some time during the summer months.

5. CONSENT AGENDA

- A. Board of Supervisors Regular Meeting Minutes – March 25, 2010
- B. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 11 in an amount not to exceed \$2,713,475.62.
- C. Regular Payables as Detailed in the Payable Listing of April 8, 2010

**MS. LANDIS MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH C.
MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

6. ACCOUNTS PAYABLE

There were none for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis reported that she had received an invitation in the mail from LGAC and the York County Planning Commission for the annual dinner meeting, which

is scheduled for Wednesday, May 19th at the Holiday Inn Conference Center. She provided a form for reservations, which should be returned by May 13th.

LANDIS Ms. Landis provided kudos to Chief McCoy and his team with the positive media coverage on Tuesday evening, Fox 43. It was a great piece and she thought the residents appreciated everything that YAUFRR is doing. She thanked him for impacting the community positively.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing to add unless there was a question.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-37 – Authorizing Application for an H2O PA Grant from the Commonwealth Financing Authority- Meadowlands Pump Station Project

HOLMAN Mr. Holman reported that the state had asked for some additional studies to be done for the Meadowlands pump station and that had allowed the time and opportunity to apply for a grant to help offset 50% of the costs. He noted that it would be worthwhile making the application. It was noted that any costs back to 2007 would be eligible.

LANDIS Ms. Landis asked for the when the anticipated award date would be.

HOLMAN Mr. Holman responded it would be between six and eight months, as it depended on when the state adopts its budget.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 2010-37 AUTHORIZING APPLICATION FOR H2O PA GRANT FROM THE COMMONWEALTH FINANCING AUTHORITY – MEADOWLANDS PUMP STATION PROJECT. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-38 – Accepting the Offer of Dedication for Right-of-Way along East Market Street and Memory Lane.

HOLMAN Mr. Holman reported that the resolution related to the final piece of the Giant food store gas station program where the road was widened. A Resolution must be passed accepting the dedication of the right-of-way, a requirement of the state.

RAUSCH Solicitor Rausch added that it would be filed in the road documents.

MS. LANDIS MOVED TO APPROVE RESOLUTION NO. 2010-38 ACCEPTING THE OFFER OF DEDICATION FOR RIGHT-OF-WAY ALONG EAST MARKET STREET AND MEMORY LANE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Ordinance No. 2010-04 – Amending the Code of Ordinances – Chapter 325 to Update Articles II, XI, XII, XX, XXIV, XXV, XXVI, XXVII and XXIX.

BISHOP Mr. Bishop stated that item C related to an ordinance that was tabled during the last meeting with a number of changes to the Code of Ordinances that came out of the Town Center plan. He noted that there still were a number of questions. He asked about the status of the ordinance in terms of advertising.

HOLMAN Mr. Holman responded that the final date for adoption is May 17th. The opportunity to adopt without re-advertising is the May 13th board meeting.

LANDIS Ms. Landis commented that one of the residents had brought up a good point about putting the proposed language changes to the ordinance on the website in order for the public to view the changes. She asked Solicitor Rausch whether there would be any legal problems.

RAUSCH Solicitor Rausch responded that he didn't think there would be any legal reason not to do so.

A lengthy discussion took place which is summarized:

- Review of other municipalities revealed a variety of language concerning pet/kennels.
- Animal ordinance could be considered a nuisance issue versus limiting number of pets.
- Question concerning what determines a “responsible” pet owner.
- Goal of the new ordinance is to loosen the ordinance to add an animal bringing the ordinance into compliance with the Commonwealth court decision.
- Enforcement is easier through zoning as a civil enforcement. Criminal enforcement calls for burden of proof changes with different criteria.
- Zoning districts could provide for adjusted numbers with more restriction for homes closer together.
- Foster care for animals could be an exception depending upon circumstances and length of time.
- Request made to put draft ordinance up on the website; no legal reason not to.

Consensus was tabling any action on Ordinance 2010-04, Amending Code of Ordinances, Chapter 325.

- D. Ordinance No. 2010-05 – Intergovernmental Cooperation Agreement; South Central Assembly for the Collective Purchase of Energy Supplies and Services

RAUSCH Solicitor Rausch indicated that the ordinance officially recognizes the Intergovernmental Cooperation Agreement for energy.

MS. LANDIS MOVED TO APPROVE ORDINANCE NO. 2010-05, THE INTERGOVERNMENTAL COOPERATION AGREEMENT, SOUTH CENTRAL ASSEMBLY FOR THE COLLECTIVE PURCHASE OF ENERGY SUPPLIES AND SERVICES. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

- A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that, as the township’s representative to the Task Force, he had heard nothing other than having read the article in the newspaper about the Summit Meeting where they discussed unifying the police departments.

- B. York County Tax Commission Coalition Update

HOLMAN Mr. Holman stated, as the township’s representative, that a vote had been taken at the last Tax Coalition meeting he attended, concerning a weighted vote versus a non-weighted vote. The board’s decision was to proceed with a weighted vote. He will be providing a report to the Supervisors.

- C. Recycling Credit Program/Voluntary Cart Service

BISHOP Mr. Bishop stated that a presentation had been scheduled but was postponed and rescheduled for April 22.

14. NEW BUSINESS

- A. Review 2010 PSATS Proposed Resolutions

BISHOP Mr. Bishop indicated that resolutions come from the county associations and then go to the state association.

HOLMAN Mr. Holman reported that the Executive Board provided recommendations on the various items. He had no exception to those variances. However, he requested the board’s position on the variances in order to vote correctly.

Consensus was a recommendation to go forward with the PSATS recommendations.

LANDIS Ms. Landis spoke about the letter received from York Suburban School District. She asked whether the Supervisors correspond back to any entities that send correspondence.

HOLMAN Mr. Holman indicated that if the board directs, he would respond. If not, the letters go into the file as part of the program for the board to review and then the board makes a final decision.

BISHOP Mr. Bishop stated that there is only a response if someone determines that a response is necessary and may direct the manager to do so.

15. ADJOURNMENT

BISHOP Don Bishop adjourned the meeting at 8:05 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 25, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 25, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Bob McCoy, YAUFRC Chief
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:00 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. March 15, 2010 – 8:10 a.m.

1) Collective Bargaining

SCHENCK Chairman Schenck announced that an Executive Session was held on March 15th at 8:10 a.m. to discuss Collective Bargaining activities with a labor union. No other Executive Sessions were scheduled at this time.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill provided photographs of the BNR project for the board's review. He noted that the photographs were more descriptive with the installation of large equipment. He had submitted a written report and had no changes or updates.

SCHENCK Chairman Schenck noted that the project is impressive and asked whether it continued on schedule.

CRABILL Mr. Crabill responded that the project is moving ahead with the break in the weather.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani indicated he had several updates to his written report, which are summarized:

- North Hills-Industrial Highway Traffic Signal – PennDOT will adjust signal adding an extra second under their signal maintenance; no date fixed at this time.
- Mt. Rose Avenue Sidewalks – PennDOT project manager, Steve Moore provided follow up documentation. Township responsible only for sidewalk material. Walls and right-of-way to lay grade back is PennDOT's responsibility. Existing sidewalk will be replaced at PennDOT's expense.
- Senior Life Project – Memory Lane and Pleasant Valley Road – DEP and Conservation District stormwater goal is not just to collect water in a basin and have it run downstream, but rather to place water in a gravel area and have it seep back into the ground. In compliance with MS4 and township stormwater permits, a filtration pit was built. During the recent thawing and rainy weather, the water came out of the infiltration pit and created a sinkhole. Repairs will include putting flowable fill back in; however, it is a serious concern. Mr. Luciani has instructed his people when this issue arises to discourage placing any filtration pit close to a structural support of a building because it will create a problem.
- TMI Generator – Contract is named BIGGIE. To be shipped from Unit 2 to Maryland. Size is 292 feet long, 20 feet wide. Will be moved over a five-day period. There is a defined path. No date scheduled yet.

SCHENCK Chairman Schenck asked whether it would travel Market Street through the township.

LUCIANI Mr. Luciani responded that it would then go up Edgewood Road and travel Route 24 to Maryland. The move will happen during the daytime. He added that he, Mr. Holman and Mr. Lauer had investigated the route. All signs, signals and tether wires will be removed. The loop detectors will be protected with ¾" plywood. All loop detectors were checked and are in working order with the exception of the Market Street and Mt. Zion Road detector to be repaired by the

gas company. If any loop detectors are damaged during the transit, TMI will repair them.

5. CONSENT AGENDA

- A. Acknowledge Receipt of February 28, 2010 Treasurer's Report.
- B. Acknowledge Receipt of February 16, 2010 York Area United Fire & Rescue Commission Meeting Minutes.
- C. Board of Supervisors Regular Meeting Minutes – March 11, 2010.
- D. Gettle, Inc. – BNR Improvements Project (Electrical) – Request for Payment No. 9 in an amount not to exceed \$167,940.
- E. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 9 in an amount not to exceed \$16,110.
- F. Regular Payables as Detailed in the Payable Listing of March 25, 2010.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A THROUGH F. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no additional Accounts Payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Approve Change Order Request No. 6 – Conewago Enterprises (General) – BNR Project for a total CREDIT amount not to exceed (\$28,178).

MS. LANDIS MOVED TO APPROVE CHANGE ORDER NO. 6, CONEWAGO ENTERPRISES, BNR PROJECT FOR A TOTAL CREDIT AMOUNT NOT TO EXCEED \$28,178. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis reported since the work session concerning the canine program was televised, she had received several phone calls from people within and outside the township voicing concerns and not even understanding that the program was no longer in existence. She encouraged the individuals to come to the meetings and get involved.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that at the next meeting he will have an ordinance advertised and ready for adoption in conjunction with the Governmental Cooperation Agreement.

SCHENCK Chairman Schenck commented with regard to the ongoing work with the Darrah situation. He noted that he observed a rather large wrecker there for quite some time.

BAUGH Mr. Baugh responded that they are taking photographs every day.

RAUSCH Solicitor Rausch added that it was an on-going saga.

11. MANAGER'S REPORT

SCHENCK Chairman Schenck noted that Mr. Holman had provided a report. In his absence he asked whether there were any questions about his report. There were no questions.

12. ORDINANCES AND RESOLUTIONS

- A. Resolution 2010-36 – Adoption of Amendment to the 2006 Comprehensive Plan to Add as Appendix B the Town Center Overlay.
- B. Ordinance 2010-02 – Amending the Code of Ordinances – Chapter 325 Zoning to Provide for Town Center Overlay.
- C. Ordinance 2010-03 – Amending the Code of Ordinances – Chapter 289 Subdivision and Land Development to Update Articles II, III, V and VI.
- D. Ordinance 2010-04 – Amending the Code of Ordinances – Chapter 325 to Update Articles II, XI, XII, XX, XXIV, XXVI, XXVII and XXIX.

SCHENCK Chairman Schenck stated that a Public Hearing had been held earlier this date on the items A, B, C, and D. The Town Center activity has been ongoing for several years with many meetings and presentations. The other items involved some general adjustments of some of the existing ordinances. He stated that the items were ready for adoption.

DVORYAK Mr. Dvoryak indicated that he would like more time to review item D. He commented on Mr. Stuhre's earlier mention that it would be helpful to have a red-lined version of the document in order to review what had changed. He requested that item D be held until the next meeting for adoption.

SCHENCK Chairman Schenck asked whether such a delay would be difficult for those working on the project.

RAUSCH Solicitor Rausch noted that there is plenty of time inasmuch as 60 days are permitted from the date of advertisement.

BISHOP Mr. Bishop noted that a decision will be necessary.

Consensus of the Board was to hold item D for adoption until the next meeting.

MR. BISHOP MOVED FOR THE ADOPTION OF RESOLUTION 2010-36 ADOPTING AMENDMENT TO THE 2006 COMPREHENSIVE PLAN ADDING THE TOWN CENTER OVERLAY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 2010-02 AMENDING THE CODE OF ORDINANCES, CHAPTER 325 ZONING TO PROVIDE FOR TOWN CENTER OVERLAY. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. DVORYAK MOVED FOR THE ADOPTION OF ORDINANCE 2010-03. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck stated that item D would be carried over for the next agenda. He added that there was a tremendous amount of work by a lot of people over a long period of time on the Town Center concept. The project encompassed a lot of staff work, community work, committee work and the Consultant's. He thanked everyone for all the effort.

13. OLD BUSINESS

- A. York Counts Public Safety Task Force Update

BISHOP Mr. Bishop stated that there had been no meetings and he had nothing new to report.

14. NEW BUSINESS

- A. Review of 2010 PSATS Bylaw Amendments

SCHENCK Chairman Schenck stated that the township was asked by PSATS to approve proposed amendments to their bylaws. PSATS is the state association of township supervisors, of which Springettsbury Township is a member. The dues will be raised slightly, and some text changes are being made within the Code of Conduct.

MR. BOWMAN MOVED TO AUTHORIZE JOHN HOLMAN AS VOTING DELEGATE TO CAST THE BALLOT IN FAVOR OF THE AMENDMENTS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 25, 2010
APPROVED**

- B. Acknowledge Receipt of Springettsbury Township Paid Police Pension Plan Actuarial Valuation as of January 1, 2009.

MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE SPRINGETTSBURY TOWNSHIP PAID POLICE PENSION PLAN ACTUARIAL VALUATION AS OF JANUARY 1, 2009. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- C. Acknowledge Receipt of Springettsbury Township Paid Firemen Pension Plan Actuarial Valuation as of January 1, 2009.

MR. BISHOP MOVED TO ACKNOWLEDGE RECEIPT OF THE SPRINGETTSBURY TOWNSHIP PAID FIREMEN PENSION PLAN ACTUARIAL VALUATION AS OF JANUARY 1, 2009. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis asked Mr. Hodgkinson for an update with regard to odor from the treatment plant.

SCHENCK Chairman Schenck indicated that Mr. Hodgkinson had provided his report just prior to the meeting. He provided the board with the summary of what had been received as of this date.

LANDIS Ms. Landis thanked Mr. Hodgkinson for the information.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Prepared in Mr. Holman's absence by the stenographer.

John Holman
Secretary

ja

MEMBERS IN

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

ALSO IN

ATTENDANCE: Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Angela Liddick, Community Development Coordinator
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order at 6 p.m. He stated that, as a public hearing, it had been properly advertised to discuss the Town Center Plan. He asked Marian Hull, the township planner to present an overview of the project.

2. NEW BUSINESS

HULL Ms. Marian Hull introduced herself and stated that she works at the URS Corporation and had been involved in the Town Center Project since its inception, which began in 2006 with the Comprehensive Plan and continued in 2008 with the Town Center Planning Process. She provided a PowerPoint presentation of the project with the following points:

- Background
- Planning Process
- Project Study Areas
- Concept Plan
- Uses and Configuration
- Market Street Design
- Eastern Boulevard Recommendations
- Gateway 83 Enhancements
- East Market Street Gateway
- Implementation of the Plan – Long and Short Term
- Final Streetscape Designs
- Zoning Overlay Changes
- Signage Requirements
- Proposed SALDO Clarifications and Corrections including Pets and Signs

- A. Public Comment on Town Center Comprehensive Plan Amendment.
- B. Ordinance No. 2010-02 – Amending the Code of Ordinances – Chapter 325 Zoning to Provide for Town Center Overlay.
- C. Ordinance No. 2010-03 – Amending the Code of Ordinances – Chapter 289 Subdivision and Land Development to Update Articles II, III, V and VI.
- D. Ordinance 2010-04 – Amending the Code of Ordinances – Chapter 325 to Update Articles II, XI, XII, XX, XXIV, XXV, XXVI, XXVII and XXIX.

3. PUBLIC COMMENT:

STUHRE Charles Stuhre, 3680 Trout Run Road, commented that he had attempted to review Section 325134 C&G on the website. He noted a conflict with regard to the height for accessory buildings. Section C indicated that accessory buildings could be as high or less than the height of the primary structure; Section G indicates it can not be over 18 feet. He could not confirm that because it was not on the website.

BAUGH Mr. Baugh stated that it related to John Harold’s comments during a previous Board of Supervisors’ meeting. He indicated that the issue had been discussed during a Planning Commission meeting and they recommended it be authorized. He added that in some areas in Olde East York and Orchard Hills it wouldn’t work, and several ideas came forward on how to do this on a relevant basis to better suit each neighborhood. Those ideas will be brought forward at the next meeting with a request for Board approval.

SCHENCK Chairman Schenck noted that it seemed that issue was being addressed. He referred to page 11 of the zoning ordinance 2010-04. He asked how the height would be calculated.

LUCIANI Mr. Luciani responded that it is defined as the total overall height of the building measured from the grade level to the highest point of the roof.

BISHOP Mr. Bishop clarified with Mr. Baugh that the Planning Commission had recommended authorization to move forward and review some of the issues and requested authorization from the Board of Supervisors.

SCHENCK Chairman Schenck commented that to date there is no legal requirement that items of this nature be placed on a website.

LANDIS Ms. Landis asked whether a member of the Community Development office or the Zoning Hearing Board would visit a site to determine whether a structure or plan would be in conformance with the variance.

BAUGH Mr. Baugh responded that it would depend on whether or not they are familiar with it. They have spectrometry and aerial views to review. If it is something unusual they will visit the site for additional photographs.

- LANDIS** Ms. Landis commented that a picture is worth a thousand words and maybe this would not have happened in East York if someone would have gone to the site and visualized the area.
- BAUGH** Mr. Baugh responded that what happened in East York was appropriate, and the Zoning Hearing Board made the right decision. In this case, the property owner probably didn't even need variance of the height. He just needed a variance on the lot size.
- SCHENCK** Chairman Schenck noted that the Town Center was the subject for discussion. He asked for additional questions or comments on the Town Center.
- BISHOP** Mr. Bishop stated that a lot of work went into the project. There were a lot of people involved from the community, who came to many meetings and spent a lot of time. They are to be thanked and congratulated because they really did do a good job, which began in a difficult place. Viewing a presentation such as Ms. Hull made, the challenge in the beginning from the Comprehensive Plan was a monstrous issue of a geographic area. Ultimately it is an elegant solution and a really good, productive review of things that could actually be done over time.
- SCHENCK** Chairman Schenck asked what the township could do with manageable costs to begin the process.
- HULL** Ms. Hull responded, with the caveat of what's affordable, she would look at gateway signage, probably particularly Gateway 83 and at the Eastern Market Gateway to make a difference in both of those places.
- BISHOP** Mr. Bishop commented that his impression of the selection process for the gateways of what currently exists was more along the lines of where help is needed.
- SCHENCK** Chairman Schenck noted that it was made clear during the presentation that the Eastern Gateway does need help.
- LANDIS** Ms. Landis asked about the community involvement and the process in the development of the Town Center Project. She did not recall receiving a survey as a resident.
- HULL** Ms. Hull responded that the outreach for the meetings was through the township newsletter and website. The meetings began with presentations and the information evolved. Issues and discussion topics emerged into an interactive survey, not mailed out to every home. Steering Committee members addressed specific issues and answered questions, which were summarized, to which people had a chance to respond.
- LANDIS** Ms. Landis asked how many people were involved.

HULL Ms. Hull responded that it began with 60 individuals and then it was lowered to 50 who were fairly consistent.

LANDIS Ms. Landis asked what kind of money would be considered for this project.

SCHENCK Chairman Schenck responded that at this point there was no money involved. He noted that it is a long range plan that as development occurs, it will be steered in this direction. The project can move forward with some signage.

LANDIS Ms. Landis asked Ms. Hull about her comment relating to not setting the bar too high in order to attract businesses to come into the township.

HULL Ms. Hull responded that she referred to not making the process too difficult. She commented on things such as combining the conditional use process with the subdivision process to simplify that process. Another comment was setting different standards for retrofitting an existing building versus building a new facility.

LANDIS Ms. Landis asked about prohibiting pole signs versus having taller structures for the signage. She asked if that referred to aesthetics.

HULL Ms. Hull responded that she was correct in that it is an aesthetic issue, more attractive, less intimidating. The goal is to make the area look more attractive.

STUHRE Mr. Stuhre indicated that he had traveled in New England and noted that their signage is located very close to the edge of the road with several benefits. A motorist doesn't have to look away to see it, and it is legible. The farther away the sign is the bigger it has to be to be seen. He noted it was something for consideration.

4. ADJOURNMENT:

SCHENCK Chairman Schenck thanked everyone for their comments and adjourned the meeting at 6:45 p.m.

Respectfully submitted,

*Created by the Stenographer
In the absence of the Secretary*

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION – CANINE UNIT**

**MARCH 15, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Monday, March 15, 2010 at 7:00 a.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Police Chief
Lt. Dave Trott, Police Department
Lt. Scott Laird, Police Department
Sgt. Todd King, Police Department
Patrolman Jeffrey Leer, Police Department
Patrolman William Polizzotto, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Bill Schenck called the Work Session to order at 7 a.m. He noted that the meeting had been properly advertised, as directed by the Sunshine Law. The subject for discussion related to the Police Canine Program, which was put into place in 2003. Officer Ike retired, and a decision is needed as to whether or not to begin negotiations on a new Police Canine Program contract, which must be in accordance with the Fair Labor Standards Act. Chairman Schenck stated that the board had received a memorandum from Chief Eshbach dated October, 2009 with regard to the activities, costs, etc. He also had received documentation from the Labor Attorney, with regard to the Fair Labor Standards Act.

ESHBACH Chief Eshbach stated that the Police Department realized the need for a canine officer and Officer Polizzotto had a trained and certified dog and was interested in leasing the dog to the township. The dog was narcotics detection trained and could do large area article searches, was trained in obedience and protection of the officer. The dog made numerous apprehensions during his tenure with the department and was instrumental in locating missing persons. Chief Eshbach explained the many advantages that the canine dog had provided to the department.

Summary of Supervisors and Police Department Discussion:

- Timeline – August, 2009 to March 2010 – Township Personnel Attorney meetings. Rules regarding canines have changed by court ruling. Conference call with the Solicitor and the Personnel Attorney for detailed discussion.
- Recommendation not to continue with the program as the language states.
- Police Chief requested to purchase new canine and renew the program per 2010 budget.
- Police Officer has to take time off for the dog's training and to handle the dog in other functions. Said functions could be handled through other police or with other firms that train dogs and the officer can return to regular patrol duties. Officer Polizzotto is not off patrol for dog training. Handler trains dog and socializes with department.
- Private entities lease services question – more of township liability; less control. Canine lease is difficult to separate from the negotiation; however, lease satisfies requirements for care and maintenance of the dog; compensation issue not included.
- Labor issues may prevent the program from moving forward.
- Communication issues – Dates and times for meetings; BOS approval needed.
- Costs of the Canine Program from 2003-2009, \$46,250.46, which included equipment for the automobile, time and manpower, gasoline, etc. Overtime costs/compensation for officer for time used could be provided. Compensation could be handled in different ways, such as money, time off, work/comp time.
- Benefits seem to far outweigh costs of the program.
- Police car used by canine cannot be used to haul prisoners.
- Community organizations that could assist with supporting the canine unit to be explored.
- Labor Issues must be satisfied – model agreement for canine services to be discussed with bargaining unit, required under state statute. Terms and conditions should be discussed in Executive Session. Issues can be satisfied as evidenced throughout the country. Sample contractual agreements to be provided; previous contract was modeled from other samples and tailored to township needs. Labor attorney suggested additional compensation to comply with FLSA law.
- Negotiations cannot be made in conflict with labor laws.
- Saturday In The Park Exercises with the canine was well received; suggest continuing if possible. Officer continually requested to conduct canine demonstrations; done on his own time. Biggest risks, liabilities of canine operation: injury to another person or dog.
- Statistics to be provided on use of dog in Springettsbury and in other townships. Useful in Newberry Township and by State Police in the apprehension of an armed felon. Other municipalities including Capital Police assisted with a bomb detection dog. Other municipalities that have canines: Newberry Township – detection certified, not narcotics. York Area Regional PD – one dog in service
- Use of canine by off-duty officer – overtime is paid. If canine is used by other police departments, their services are rendered to Springettsbury in return.
- York County Prison – Canine has retired.

Board of Supervisors' Direction:

- Police force needs to maintain high standard of police services to include canine program.
- Support program that does not increase costs and conform to labor laws.
- Request additional information from Police Department; identify all labor issues and tentative draft contract agreement to comply with statutes.
- Identify and itemize all known costs for program as well as officer's time.
- Board's decision includes whether to go ahead with the program and at what cost.
- Agreement to be negotiated; cost analysis broken out, compare with a potential new contract.
- Policy guidelines established relating to situations in which dog would be used, i.e. Saturday In The Park; could be part of a contract or policy. Public Relations effort to be captured.
- Township Manager to create timeline for discussion and guidelines.

Consensus of the board was agreement with the itemized list.

2. CITIZEN COMMENT:

WANTZ Mr. Russell Wantz of 1465 Coffee Mill Way, Owner of Shaad Detective Agency, spoke in favor of the canine unit. He spoke of the need and the benefits. Currently he has dogs that he uses on a regular basis. He noted that he is involved with the District Attorney's office where all drugs and vehicles are stored. The Drug Task Force had assisted other departments in acquiring drug dogs. In addition, he indicated that the bomb dog may have participated as well. He noted that that might be an opportunity to request a contribution toward the establishment of the dog. Additionally, as a business person, if he were to make a donation for a canine, it could be done through the township, but donating it to Officer Polizzotto becomes a private entity. Businesses that might contribute or donate would more likely donate to the township.

HOLMAN Mr. Holman requested a short Executive Session to discuss procedural questions for the contract.

3. ADJOURNMENT:

SCHENCK Chairman Schenck announced that an Executive Session would be held immediately following adjournment. He adjourned the meeting at 8:10 a.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**MARCH 11, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, March 11, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Dave Eshbach, Police Chief
Jack Hadge, Finance Director
Bob McCoy, YAUFRR Chief
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:00 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

A. February 25, 2010 – 9:00 p.m.

- 1) Personnel
- 2) Darrah Litigation

B. March 3, 2010 – 7:30 a.m.

- 1) Personnel

SCHENCK Chairman Schenck announced that Executive Sessions had been held on February 25th regarding personnel and the Darrah Litigation, and also on March 3rd regarding personnel. None were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road commented that he had been a passenger in a motor coach which crossed over the North Hills rail crossing. He noted that, from a truck or motor coach, the situation is worse because the driver sits higher. The light was not visible until the point exactly on the center line of Industrial Highway. Additionally, Mr. Stuhre complimented the highway Maintenance Department for the terrific job they did in his area on snow removal, as well as immediate response on potholes.

SCHENCK Chairman Schenck thanked Mr. Stuhre and noted that Mr. Luciani had made a record of his comments.

HOLLAND Stephanie Holland, 405 Cortleigh Drive spoke as a representative of Haines Acres residents with regard to traffic problems in that area. She noted speed, traffic accidents, property damage, safety of children and residents, area churches and daycares in the area and a big concern of the area residents who had signed a petition requesting permanent relief. She had met with Manager Holman with regard to their concerns. Some suggestions were made for four-way stop signs, speed humps, speed tables, proper signage, and warning signs. Additional residents attended the meeting with and in support of Ms. Holland's efforts as follows:

- Robert Sandmeyer, 2625 Kingston Road – Spoke in favor of permanent traffic calming solutions.
- Carol Shaffer, 2675 Kingston Road – Spoke in favor of permanent traffic calming solutions.
- Mark Bair, 3005 Forrest Lane – Spoke in favor and suggested the use of cameras at stop signs. (Police Chief Eshbach indicated cameras are not lawful for enforcement in Pennsylvania with the exception of Philadelphia).
- Vic Castellano, 360 Cortleigh Drive – Spoke in favor of permanent traffic calming solutions.
- Bob Wetzel, 455 Meridian Lane – Spoke in favor of permanent traffic calming solutions.

- SCHENCK** Chairman Schenck indicated that the street design has a major impact on traffic.
- HOLMAN** Mr. Holman stated that a traffic committee meeting, which will include Police Chief Eshbach, Charlie Lauer and others, will be held and a study will be made including signs, speed checks, counters and enforcement issues. They will be back in touch with Ms. Holland with the results in about a month.
- HAROLD** John Harold, 39 North Keesey, stated that he had lived in Old East York for many years. He indicated his disappointment that the variance requested by his neighbor had been approved by the Zoning Hearing Board. He cited the 24X24 two-story building garage and its placement on the property. The footprint of the building is two times that of the footprint of the house and exceeds the actual 40% allotment. He had been unable to attend the Zoning meeting on January 7th but had signed a neighborhood petition. He did not believe that the request would be approved. He was convinced that his property value was impacted by the new structure. He hoped that the Zoning Hearing Board would take into consideration the character of the neighborhood when excessive requests are made.
- SCHENCK** Chairman Schenck noted that his concerns would be forwarded on to the Zoning Hearing Board. He thanked him for coming to the meeting.

3. ENGINEERING REPORTS

A. Environmental Engineer - Buchart-Horn, Inc.

- CRABILL** Mr. Crabill had provided his written report and stated that he had no changes or updates.
- SCHENCK** Chairman Schenck asked whether he had any concerns with regard to the overall project.
- CRABILL** Mr. Crabill responded that there are always concerns, but things are moving forward more quickly now with the easing up of the weather.

B. Civil Engineer – First Capital Engineering, Inc.

- LUCIANI** Mr. Luciani had provided his written report as well and indicated he had several updates, summarized below:
- Mr. Lauer and he attended a Act 129 seminar about replacing school district or municipal fixtures with more energy efficient items and the fact that GPU,

the electrical supplier will provide rebates; 1% must be reduced by 2011; 3% by 2013.

North Hills Rail Crossing – Mr. Luciani and Mr. Holman met with Norfolk Southern officials. They are searching for replacement concrete material to replace the defective material. They will patch the temporary fix until a long-term solution can be provided. In addition, PennDOT plans an overlay from Route 30 to the at-grade crossing.

Rite Aid – A meeting was held with PennDOT regarding the Rite Aid project, for which they were having a difficult time getting their permit. The developer asked Mr. Luciani to attend the meeting. They were able to assist them with some rights-of-ways.

Mt. Rose Avenue Sidewalks – Mr. Luciani had received clarification from PennDOT with regard to the sidewalk requirements. PennDOT sent him an email indicating that the department will require the necessary rights-of-way, utilities, necessary grading including maintenance and protection of traffic, construction inspection and related tasks in conjunction with the SR124 project. PennDOT will seek only reimbursement from Springettsbury Township for the cost of the sidewalk, which Mr. Luciani estimated at between \$40,000 and \$50,000. PennDOT was advised that the township had secured the right-of-way from St. John's.

14. NEW BUSINESS

A. Investment Presentation

SCHENCK Chairman Schenck noted that Mr. Hadge had requested that his presentation be made earlier during the Agenda as he had some personal business to attend to this date. He asked the board for a consensus to do so. Hearing no objection, he called Mr. Hadge for his presentation.

HADGE Mr. Hadge provided the board with documentation related to his presentation. He provided the history of the Cash Management Investment Program, which was adopted by the board in August of 2003. The portfolio is invested in Certificates of Deposit and laddered in specific months to provide liquidity. They are in approximately 69 banks in 24 different states with rates ranging from .75 to 4.8% in a \$13 million portfolio and a pension portfolio of \$12 million. The investment policy that the township adopted in 2003 has been used by approximately 12 different municipalities in the three-county area and is reviewed every year by the auditor. He noted that in the Treasurer's Report

which he provided to the board monthly, the investments is just a line item savings and investments. All banks in which funds are invested must abide by Act 72. The funds are safe beyond the FDIC level.

DVORYAK Mr. Dvoryak asked how many dollars are in reserve beyond the \$13 million in short-term investments.

HADGE Mr. Hadge responded approximately \$1 million at the most. Money has been spent in the first quarter and it could be as low as \$500,000.

DVORYAK Mr. Dvoryak asked how that is managed.

HADGE Mr. Hadge responded that there is an issue of sweeping of the accounts. The bank that has most of the accounts with \$75,000 to \$100,000 is willing to sweep. However, they have demonstrated to me that a better rate can be attained on a government rate. The auditors are fine with that. If there is ever a legal issue, it will be sent to Township Solicitor Rausch for a review. He reviewed the Cash Management Investment Program back in 2003 which was a model from the Government Finance Office Association, the Pennsylvania Local Government Investment Trust Fund and the State of New Mexico.

LANDIS Ms. Landis asked whether the township receives Act 72 letters monthly from the different banks.

HADGE Mr. Hadge responded that he receives them quarterly, which had been sufficient, as well as for the auditor.

LANDIS Ms. Landis asked who makes the final decision when an investment is mature.

HADGE Mr. Hadge responded that he will make the decision. If there is an issue he consults with Manager Holman. The board appointed him as Treasurer each year.

LANDIS Ms. Landis asked Mr. Hadge if he could provide a comparison of revenue versus spending patterns over the past 5 years in order to make a graph or chart for tracking purposes.

HADGE Mr. Hadge responded that he would provide a total year of what revenues are and total year of what was spent. It will be shown as an actual year, a revised year and the proposed year in the budget so it's basically three.

SCHENCK Chairman Schenck stated that he had presented a wonderful packet for review, and it is always good to get refreshed. The board appreciated him putting it all in one place.

DVORYAK Mr. Dvoryak questioned whether he felt any need to change the policy.

HADGE Mr. Hadge indicated they will review it when the auditors are finished. There had been an issue two years ago about the definition of short-term maturities and the number of days involved. They reviewed the matter, discussed it with a number of individuals and decided to remain with 367 days. Should there be any change, he would come to the board for recommendation and adoption. He wanted the board to feel comfortable about the investment program in light of the difficulties heard about pension plans and other economic stress that is taking place. He believed it to be very safe and sound and that appropriate investments are taking place.

5. CONSENT AGENDA

- A. Board of Supervisors Regular Meeting Minutes – February 25, 2010
- B. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 0 in an amount not to exceed \$1,369,837.37
- C. Frey Lutz Corp. – BNR Improvements Project (Mechanical) – Request for Payment No. 8 in an amount not to exceed \$19,080.
- D. Doug Lamb Construction, Inc. – Safe Routes to School (Haines Road Project – Request for Payment No. 3 in an amount not to exceed \$37,152.73.
- E. Regular Payables as Detailed in the Payable Listing of March 11, 2010.
- F. SD-09-02 – Time Extension – Michael & Charlene Harvey – Plan Expires 3/30/10 (New Plan Date 6/30/10).
- G. LD-09-04 – Time Extension – Harley Addition (Building 3) – Plan Expires 3/21/10 (New Plan Date 6/21/10).

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

6. ACCOUNTS PAYABLE

This item was approved during item 5.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

There were none for action.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

There were none for discussion.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman confirmed a Work Session scheduled for Monday, 7 a.m. He will issue email reminders. Mr. Holman reported that the bridge on Eberts Lane will be under repair for the next two weeks. A detour will go into effect and has been placed on the township website. North Hills Road is the detour, which will be interesting for Norfolk Southern when they get contact the state for permission to repair the rail crossing because they want to close North Hills Road for a day to two days in order to repair that rail crossing. Much coordination will be done there to be sure that motorists can still get through town. Mr. Holman added that the Traffic Committee will meet to discuss the transfer of generators sometime in May or June from TMI down Routes 462 and 24. State traffic light people will be taking lights down and putting them back up. Mr. Holman will provide additional information as soon as it becomes available.

LANDIS Ms. Landis asked whether Mr. Holman planned to provide an update with regard to the Cops in School Program. She noted that a meeting had been held.

HOLMAN Mr. Holman responded that an update will be provided in about a month. Solicitor Rausch had just completed a review of the contract. Both schools would like to continue the program. They are working on the calculations. They want to renew it on an annual basis and that will likely be done through a Letter of Renewal each year by May 15th to the Board of Supervisors. Prior to that they will be reviewing with the boards on the costs each year and what their share will be for the program.

RAUSCH Solicitor Rausch indicated they are going to try to tie it in with the school year, which will begin July 1st and end June 30th. The school districts will be given the numbers in March and will have until May to decide if they want to continue with the program or not.

12. ORDINANCES AND RESOLUTIONS

There were none for action.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that he had received an email noting an annual meeting including a briefing by the Chairman of the Public Safety Task Force, Steve Hovis, who would discuss the contract with the consultant. That meeting was to be held at Penn State/York on March 26th in the Pullo Performing Arts Center, the Annual Community Summit.

SCHENCK Chairman Schenck asked why YorkCounts solicited the cooperation of the local governments when discussing police, which is what it was all about, and work in a vacuum. He noted that there had been no meetings.

BISHOP Mr. Bishop responded that there is virtually no municipal support any longer. He had attended every single meeting they had. The attendance dwindled and the two leading municipalities, West York and the City, had political changes so the people who were going to the meetings weren't there anymore. Mr. Bishop did not know what kind of support there really is and YorkCounts seemed to be more than comfortable pushing forward on their own.

B. Canine Program

SCHENCK Chairman Schenck noted that the board will have a public Work Session to discuss the canine program on Monday, March 15, 2010 at 7 a.m.

C. Mount Rose Avenue Widening Project: Sidewalks

SCHENCK Chairman Schenck noted that the board had heard Mr. Luciani's update on the sidewalk program.

HOLMAN Mr. Holman asked whether the board would agree to send a letter to PennDOT that they want to see sidewalks based on what Mr. Luciani had presented. He noted that there had been a commitment made by Heritage Hills for \$50,000 based on the cost of the traffic light. He noted that a Memorandum of Understanding would be issued from the state a year from now when they will request a commitment of funds.

SCHENCK Chairman Schenck noted that the project would be three years into the future, 2014.

LANDIS Ms. Landis made several observations summarized:

- There are plenty of neighborhoods with missing segments of sidewalks. Sidewalks are provided behind Green Springs Apartments.

- The \$40,000 to \$50,000 could be used in the different neighborhoods noted in the Comprehensive Plan.
- Comprehensive Plan discussed the inner-connected web around the hub of the Town Center circulation system. The geographical map of the township notes that Mt. Rose Avenue is on the southern end which she thought would be outside the formal network of the hub.

Additional lengthy discussion points summarized:

- No potential development will take place on Mt. Rose Avenue to provide opportunity for sidewalks.
- Some of the sidewalks on Green Springs Road are private roads with a pedestrian path.
- Board has long history of encouraging sidewalks whenever development occurs.
- PennDOT will do 80% of the work.
- Township has never built sidewalks in the township with its funds unless the township owned the land. This is totally new ground, new area and a rather unique opportunity.
- PennDOT has been working on the Route 24 interchange since 1989.
- Safe Routes to School program cannot use St. John's Church as it is not a walk-to school.
- Money should be routinely budgeted every year to provide sidewalks.
- PennDOT issued a written commitment that they will do everything but the Portland cement.

HOLMAN

Mr. Holman indicated that, if the board sent a commitment letter for the sidewalks, then a Memorandum of Understanding will be issued by PennDOT. At that time the board will be able to determine what the contribution will be. The project begins in 2014 with payment in about 2016 with the two-year project.

SCHENCK

Chairman Schenck noted that Mr. Holman felt there was a deadline to reply to PennDOT.

HOLMAN

Mr. Holman responded that there is a need to respond to a letter indicating that the board wanted to see the sidewalks. They will design it and come back and advise how much that will cost. If the amount is not palatable at that time then there will be no need to sign the Memorandum of Understanding.

DVORYAK Mr. Dvoryak commented that he was not sure how to obtain information as to how many people would use the sidewalks. He felt it was a public safety issue. He noted that traffic studies are done for speeding.

SCHENCK Chairman Schenck responded that he did not know how to obtain that information.

LANDIS Ms. Landis noted that there could be repercussion by other residents in other neighborhoods that would like sidewalks.

BISHOP Mr. Bishop responded that picking and choosing is part of the job.

MR. BISHOP MOVED TO DIRECT THE TOWNSHIP MANAGER TO COMMUNICATE WITH PENNDOT THAT THE TOWNSHIP WOULD LIKE TO MOVE IN THE DIRECTION OF HAVING SIDEWALKS ON MT. ROSE, ROUTE 124 PROJECT. MR. BOWMAN WAS SECOND. MOTION CARRIED 3/2. MS. LANDIS AND MR. DVORYAK VOTED NO. MESSERS BISHOP, BOWMAN AND SCHENCK VOTED YES.

D. Wastewater Treatment Odor Control Program

SCHENCK Chairman Schenck asked for an update of the Wastewater Treatment Odor Control Program as they had received some recent complaints. A summary of the discussion follows:

- Complaints are few: 2009 – 3, DEP – 1; 2008 – 2, DEP – 1; 2007 – 3 or 4; DEP 3.
- Meeting was held with DEP and a few residents.
- Odor Control System in place; run when appropriate. It's a counter-active ingredient purchased as a concentrated liquid, high pressured water system. Perfume is injected into the system; emits 20 to 30 feet in the air, smells like honeysuckle.
- Mr. Hodgkinson's email address given out for notification purposes.
- Property purchased by the township around the plant for buffer zone.
- Composting operation has biggest potential for offsite odors. Just began composting Monday.
- Spring is the worst because of the dense air. Wind direction has a lot to do with it.
- For the plant not to smell the entire facility would have to be covered and have scrubbers; would cost millions.
- Odor Control System not run 24/7; what would costs be to do so annually.

- Township plant is the only one in Central Pennsylvania. There are private firms above Manheim which is housed inside. They are a for-profit organization.
- Composting is done as a result of Tree Farm and federally-invested money; beneficial re-use instead of sending it to a landfill as favored by EPA.
- Composting is not the only source of odors. Digesters add to the source. The business smells.
- Housing boom in the area bring new residents not familiar with the odors.
- Assumption is that something is being done wrong. Not a correct assumption.
- Doing everything possible to be good neighbors.
- Emails and phone calls are best way to address the odors. Encourage residents to make immediate contact.
- Meeting with DEP ended with mutual understanding. Thank you letters received from the residents. Emails come right into the Blackberry's.
- Emails to be forwarded to board members to keep them abreast of activity.

14. NEW BUSINESS

A. Investment Presentation: Finance Officer

Mr. Hadge's presentation was made earlier during the Agenda.

B. Authorization to Advertise Sale of Township Computers by Online Auction.

MR. BISHOP MOVED TO AUTHORIZE ADVERTISING SALE OF TOWNSHIP COMPUTERS. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
SEWER APPEAL HEARING**

**MARCH 10, 2011
APPROVED**

The Board of Supervisors of Springettsbury Township held a Sewer Appeal Hearing on Thursday, March 10, 2011 at 6:15 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charlie Rausch, Solicitor
John Luciani, Civil Engineer
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Sewer Appeal Hearing to order at 6:15 p.m. He noted that the Supervisors are the Hearing Board for sewer appeals as specified by the Code. He asked Solicitor Rausch to establish the rules for the hearing.

RAUSCH Solicitor Rausch stated that this specific appeal falls under the Local Agency Law. Mr. Hengst, Sewage Enforcement Officer, will present his case, and Mr. Robison will present his side, the board will make a ruling, and a decision will be issued. He reported that Mr. Robison had sent an Appeal to the Notice of Violation on January 25, 2011 objecting in that he had received his Notice of Violation on September 27, 2010. A Notice of Appeal was filed on October 18, 2010. The Code of Ordinance states that an Appellant shall be entitled to a hearing before the board at its next regularly scheduled board meeting. The appeal had not been heard by the board, and Mr. Robison believed that he had a deemed decision in his favor. However, Solicitor Rausch had notified him that was not the case.

SCHENCK Chairman Schenck asked why the hearing had not been scheduled.

HOLMAN Mr. Holman responded that Mr. Robinson's letter had been received and he had forwarded it to Mr. Hodgkinson, Director of Wastewater Treatment. It had overlapped with another appeal. Mr. Holman followed up to determine the status and at that time a hearing was scheduled. He noted there were several months in which only one board meeting was held. He reviewed the matter with Mr. Hodgkinson and make some procedural changes so that the same issues do not occur in the future.

RAUSCH Solicitor Rausch noted that the question to be asked was whether Mr. Robison had been harmed; whether there was a penalty. It was determined there had been no harm. He had not been cited for not having a permit to make a repair. The issue was whether he needed to make a repair or replace his septic system.

Solicitor Rausch swore in those who intended to testify.

- HENGST** Sewage Enforcement Officer, Brad Hengst, presented his testimony which included:
- Packet of information including a copy of the Codified Ordinance. He read the portion with regard to any component deemed to be malfunctioning.
 - He also cited DEP Rules and Regulations with regard to compliance issues inspected by the SEO.
 - He presented a copy of his Notice of Violation dated September 27, 2010.
 - His inspection indicated the baffle in his septic tank was deteriorated and Mr. Robison had patched/repared it instead of replacing the tank.
 - Two violations were indicated one of which involved the Sewage Facilities Act because he did a repair to the baffle without a permit.
 - If a septic tank installation was required, it must consist of tanks with multiple compartments.
 - Administrative interpretations of case precedent from DEP regarding a Dover Township septic issue.
- RAUSCH** Solicitor Rausch noted that Mr. Hengst had been the Dover Township SEP.
- ROBISON** Mr. Robison presented his testimony, which included photographs, and the following:
- Pictures were itemized and numbered and made part of the record.
 - The day Mr. Hengst inspected his tank the baffle was not malfunctioning. The baffles were not deteriorating.
 - Testimony noted that he had maintained the baffle on his tank to keep it from deteriorating, which he determined he was allowed to do according to the SEO website.
 - The maintenance done included placing hydraulic cement over the baffle to seal it to ensure the system lasts a long time.
 - He had been required by the state of Pennsylvania to place on it a 20-inch opening access cover.
 - He interpreted state and township ordinances to be limited to fixing the cause of a malfunction. He maintained his system was not malfunctioning and that he simply maintained it.
 - Mr. Robison's tank had passed all previous inspections. He was encouraged to maintain his system due to some difficulties his neighbor had experienced.
- DVORYAK** Mr. Dvoryak asked if there was any industry documentation to support Mr. Robison's application of hydraulic cement as appropriate maintenance.
- ROBISON** Mr. Robison responded that he could find no evidence of that nature.
- DVORYAK** Mr. Dvoryak asked Mr. Hengst if he actually saw deterioration or just evidence that the baffle had been altered.
- HENGST** Mr. Hengst responded that he could only determine that the concrete was fresh.
- LANDIS** Ms. Landis commented that it would be appropriate for Mr. Hengst to take photographs during inspections to document such cases. In addition, she asked Mr. Hengst to explain the process for inspections.

**SPRINGETTSBURY TOWNSHIP
SEWER APPEAL HEARING**

**MARCH 10, 2011
APPROVED**

SCHENCK Chairman Schenck stated that it was time for the regularly-scheduled meeting of the Board. He asked whether Mr. Robison needed an additional hearing to present more evidence. He noted that following the hearing the board had 45 days in which to render a decision.

ROBISON Mr. Robison indicated that he would not prefer an additional hearing and asked the board to render a decision.

RAUSCH Solicitor Rausch stated that additional deliberation by the board could be held during an Executive Session. However, the final decision will be made during a public meeting.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the hearing at 7:20 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 25, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 25, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:03 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Session would be held immediately following the meeting this date to discuss personnel issues and the Darrah litigation.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

14. NEW BUSINESS

A. Act 44 Assets Smoothing: Tom Zimmerman, Conrad Siegel Actuaries

SCHENCK Chairman Schenck announced that item A under New Business would be advanced in order to provide for Mr. Zimmerman time to discuss Act 44

and return home. He asked Mr. Holman to introduce Mr. Zimmerman and the subject for discussion.

HOLMAN

Mr. Holman stated that Tom Zimmerman serves as the township's Actuary for the pension plans. Mr. Zimmerman will discuss the option of Asset Smoothing payments for the pension plans, which has been authorized by the state through the legislature. He will discuss what the impacts of smoothing would be plus the costs if no smoothing is done.

ZIMMERMAN

Mr. Zimmerman described the details of Asset Smoothing, which are summarized.

- Actuarial reports are completed every other year; focus is on the January 1, 2009 report, which will determine the 2011 and 2012 cost or Minimum Municipal Obligation (MMO).
- State law passed which recognized pension difficulties for municipalities.
- Law provides for paying less for a few years but will cause higher payments in the future.
- Focus was on the Police Pension Plan but Fire Pension Plan is essentially the same with 30% fewer assets.
- Any decision made should be made for both plans.
- Cost for 2010 is locked in at \$302,000 to be paid from the General Fund.
- If the board elects status quo, the market value of assets as of January 1, 2009 will continue to determine cost. The cost will increase from \$302,000 to \$509,000.
- The main option to lower cost is called Asset Smoothing. Before Asset Smoothing the maximum that could be used was 120%.
- By taking advantage of the new law and assume 30% more money was received as of 1/1/09, the cost would be about \$359,000.
- Losses in 2008 were not nearly as bad as many municipalities, which were in the range of -20% to -30%.
- Springettsbury's losses were about -18% in 2008, and with 120% smoothing would defer \$150,000 in 2011.
- After 2014 the higher costs (\$460,000) would apply through to 2030 to make up for Asset Smoothing because of lost interest.
- By contributing an extra \$150,000 in 2011 and \$95,000 in 2012 the money in the fund will earn interest.

Board Questions and Comments

DVORYAK

Mr. Dvoryak commented that a review of the years indicates averages below the market trends. If the market trends upward and the average returns are exceeded, how would that impact the numbers. He asked whether that would

reduce the contribution in the future years and smoothing would not be as important.

ZIMMERMAN Mr. Zimmerman responded that their assumption is that the fund earns 7.5% a year. Every year that 7.5% is exceeded there will be gains and the costs will lower. He added that a large amount of the money is invested in fixed income. He noted that the next market assessment date is 2011. There was a 16% gain in 2009, about \$400,000, but a \$2 million loss grows every year with interest. The 2009 gain only covered the interest on the 2008 loss.

HOLMAN Mr. Holman noted that the board had reviewed Asset Smoothing several years ago, and it had been rejected. If it had not been rejected, the funds would be in worse condition.

ZIMMERMAN Mr. Zimmerman commented that some municipalities did Asset Smoothing, mainly cities, but they will undoubtedly pay higher costs in the next two to four years.

SCHENCK Chairman Schenck indicated, for the record, Springettsbury's Police and Fire Pension Funds, by Act 44 standards, is at minimal distress and not in the position of some other municipalities. The question is whether it is possible to come up with \$150,000 next year to fund the shortfall or push it out for future boards to deal with \$461,000.

DVORYAK Mr. Dvoryak commented that if \$150,000 is pulled out of reserve, it will be invested into the financial markets assuming a 7-1/2% rate of return which will be better than current rates.

ZIMMERMAN Mr. Zimmerman indicated that there is a good chance that rate will be higher longer term by putting it into the pension plans.

RAUSCH Solicitor Rausch clarified that Mr. Zimmerman's job is to make sure that everyone in the pension plan could be paid when they retire.

ZIMMERMAN Mr. Zimmerman added that he is also responsible for making sure the pension funds comply with state funding law. Act 205 has minimum standards.

RAUSCH Solicitor Rausch commented that the \$9 million takes into consideration all the people in the pension plan, but they won't all retire at the same time.

ZIMMERMAN Mr. Zimmerman explained that they look forward at least 75 years.

LANDIS Ms. Landis questioned how the compilation is done.

ZIMMERMAN Mr. Zimmerman responded that it is based on about \$6,000 per officer. It varies year to year and that's the best estimate for this year and next year.

- LANDIS** Ms. Landis asked whether that would depend on how much money the state receives from the federal government.
- ZIMMERMAN** Mr. Zimmerman responded that it is not federal government. The state taxes insurance coverage, about a 2% tax, and that money is fairly constant. You know insurance is a pretty constant cost for companies and so it's a pool of money of about \$250 million that's pretty constant year after year.
- DVORYAK** Mr. Dvoryak asked whether the \$6,000 number per officer had trended higher or lower over the past years.
- ZIMMERMAN** Mr. Zimmerman responded that over the long run, it trends higher. The number went down in 2009 and he expected it to go down again in 2010 because there were some plans that were over funded and didn't need any money. It should start to trend up again as the economy recovers.
- SCHENCK** Chairman Schenck commented that there is a timeline for a decision.
- ZIMMERMAN** Mr. Zimmerman responded that the deadline is March 15, 2010.
- SCHENCK** Chairman Schenck noted that, in his opinion, he would hate to burden a future board with a major funding problem. He believed that financially the township could afford to pay the additional funds now.
- DVORYAK** Mr. Dvoryak agreed with Chairman Schenck.
- LANDIS** Ms. Landis agreed as well.
- ZIMMERMAN** Mr. Zimmerman indicated that nothing would need to be done because they would elect status quo. He suggested documenting that in the minutes.

Consensus was to maintain status quo with regard to Asset Smoothing.

SCHENCK Chairman Schenck thanked Mr. Zimmerman for an excellent evaluation.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

- CRABILL** Mr. Crabill provided some photographs for the board's review. He indicated that there were no changes to his submitted report and offered to respond to questions.
- LANDIS** Ms. Landis questioned the projects listed on his report and asked whether the township is charged for any remaining percentages listed.

CRABILL Mr. Crabill responded that there would only be charges if additional work would be done on a specific project. He added that the list had been trimmed, but he indicated he would review the list and trim it again.

DVORYAK Mr. Dvoryak recalled that there had been some discussion and perhaps some actual law suits over the BNR issue in municipalities. He asked if there was anything new moving forward and whether there were any municipalities that had been forced into this matter.

HODGKINSON Mr. Hodgkinson responded that he had not heard anything.

HOLMAN Mr. Holman reported that the township was part of the suit at TMDL, Total Maximum Daily Load, which helped generate the million dollars in funds that was received. There was confirmation that the money was received; however, no confirmation had come from the bank. The group in the suit remains in place to be sure that the TMDL is not in excess or does not reduce what is allowed in the current permit. All the state's requirements are being met. Meetings are held quarterly, and the township has a seat at the table in order to stay informed.

RAUSCH Solicitor Rausch stated that there might have been one or two municipalities that settled in terms of extending the time.

HOLMAN Mr. Holman responded that the township did not require an extension as it is one of the larger municipalities. Hellam Township will not have to start until 2011 or 2012 as they are much smaller. Mr. Holman noted that having joined the group had paid dividends as well as working with the federal government, EPA and DEP in dealing with the TMDL matter.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani reported two updates to his written report. He provided pictures of the North Hills Road rail crossing. Norfolk Southern had patched the rail crossing. However, they indicated there is a problem due to potential damage to automobiles. They are reviewing a long-term solution. He and Mr. Holman will be meeting with them to discuss long-term repair. Mr. Luciani noted that they had placed a call to the PUC, which prompted quick action.

Mr. Luciani reported that Mr. Holman received a request from PennDOT to determine the township's interest in sidewalks on Mt. Rose Avenue. He noted PennDOT's policy, which indicates that when they are rebuilding or widening a road, if there is existing sidewalk along the roadway, they will replace that sidewalk and take care of the costs. Their current policy indicates that if there is no sidewalk, the host community would be responsible for the cost of the right-of-way and sidewalk. He provided a PowerPoint presentation showing

segments on Mt. Rose Avenue where there are missing links in the sidewalk and a cost estimate. He provided a spreadsheet itemizing the costs: Right-of-way - \$22,000; Retaining Walls - \$41,000; Engineering - \$200,000 to \$250,000. Potential for Safe Routes to School grant money; also \$50,000 in funding earmarked by Heritage Hills development.

Board Comments/Questions

- LANDIS** Ms. Landis asked why there is a need to put sidewalks in that area.
- LUCIANI** Mr. Luciani responded that several years ago a consulting group recommended sidewalks as a way to make the community more viable. The Mission Statement is to provide an inter-connective community.
- LANDIS** Ms. Landis noted that she could not envision people walking up and down that hill and she commented that it would be a waste of money.
- BISHOP** Mr. Bishop stated that there would be protective fencing as part of the construction process.
- LUCIANI** Mr. Luciani indicated that the wall is estimated to be five feet. There is a Building Code issue there to protect walkers.
- BISHOP** Mr. Bishop asked Mr. Luciani for his confidence level in the figures.
- LUCIANI** Mr. Luciani responded that they have received very good prices for Safe Routes to School. He added that he thought the numbers were conservative based on the PennDOT bid project. Prevailing wages will be paid for all projects whether it is bid or PennDOT bids it.
- BISHOP** Mr. Bishop asked what the process would be.
- HOLMAN** Mr. Holman responded that first the township indicates approval for the sidewalks and sends PennDOT an estimate based on their cost schedule, PennDOT would send the township a contribution agreement much like was done for the Market and Mt. Zion project. Mr. Holman would sign the contribution agreement indicating agreement to their bidding the job and agreement to contribute the mutually agreeable funds. At that point PennDOT puts it in their plans and specifications. They take the property and do the building. They will bill the township at the end of the project for the total cost.
- SCHENCK** Chairman Schenck noted that this may be the opportunity to gather the rights-of-way with PennDOT's cooperation. In the future the township could install the sidewalks.

- HOLMAN** Mr. Holman noted that the only answer needed this date is whether or not to have the state include sidewalk in the project.
- SCHENCK** Chairman Schenck indicated that he could think of sidewalks in other neighborhoods where there are small missing links that would benefit pedestrian flow if that much money is to be invested. He thought the board should take more time for review.
- BISHOP** Mr. Bishop noted that the opportunity is open to do this.
- LANDIS** Ms. Landis thought that there would be better ways of spending that kind of money. She did not think the opportunity will change in future years due to the traffic, which will continue to increase and become more hazardous. She could not envision pedestrians walking on a sidewalk up and down that hill and thought it was a bad choice, to which she was opposed.
- BISHOP** Mr. Bishop commented that he was sure there are paths worn next to the road now where people are walking.
- LANDIS** Ms. Landis indicated she must miss them because she traveled that road every day morning, afternoon, and evening and she had not seen anyone.
- BISHOP** Mr. Bishop responded that he had seen pedestrians all the time. He stated that now is the opportunity. It is in the Comprehensive Plan, and the consultants suggested it was something that should be done. It is a small price to pay to have a major thoroughfare pedestrian friendly.
- DVORYAK** Mr. Dvoryak asked if he was referring to the township paying the \$250,000 as opposed to grant money if that's not available.
- BISHOP** Mr. Bishop responded that he thought the board should commit to doing it and added that there are always ways to figure out how to pay for things.
- DVORYAK** Mr. Dvoryak noted that his challenge is that he does not know that area as far as pedestrian traffic. He heard two widely differing opinions on how much benefit there would be.
- SCHENCK** Chairman Schenck supported Mr. Bishop's point and indicated that the places where sidewalks had been installed in questionable areas, such as on Stonewood or Edgewood Roads, have a lot of pedestrians.
- HOLMAN** Mr. Holman noted that the decision to be made is whether or not to tell the state to put the sidewalk in, to put the sidewalks in their plans and specifications.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 25, 2010
APPROVED**

- DVORYAK** Mr. Dvoryak stated that he would support Mr. Schenck's comment. Spending a quarter million dollars on sidewalks could be better spent in other places in the township.
- LANDIS** Ms. Landis asked whether this money was budgeted in 2010.
- HOLMAN** Mr. Holman responded that when the project was first discussed it was part of the Safe Routes to School project, and part of the Heritage Hills project.
- BISHOP** Mr. Bishop added that it was never budgeted.
- SCHENCK** Chairman Schenck indicated that it would impact the 2013 and 2014 budget.
- HOLMAN** Mr. Holman added that he would have to start planning for it.
- LUCIANI** Mr. Luciani stated that a timely response to PennDOT would be necessary. The cost of the rights-of-way would be \$22,000. If the state included that for future sidewalk, it might be more palatable. The township would have to come back and build it eventually.
- SCHENCK** Chairman Schenck noted that the rights-of-way should be obtained since the state would have to do that, and it's a matter of legal description. He thought it would be a good investment.
- BOWMAN** Mr. Bowman noted that where sidewalks have been constructed people are using them. The board had required other developers to install sidewalks, like on Edgewood Road. To not do it on Mt. Rose, even though it's a lot of money, the board mandated others to install sidewalks.
- LANDIS** Ms. Landis asked when the decision needed to be made.
- HOLMAN** Mr. Holman indicated he did not need a decision this date. They could compile additional information from the state for the March 11th meeting.
- LUCIANI** Mr. Luciani stated for clarification that when communicating with the state, the question will be whether the township can just get rights-of-way. With that information the board can make a final decision as to just the rights-of-way or do the whole project.
- SCHENCK** Chairman Schenck noted that the Canine Program is listed on the Agenda; however, he thought that was a place holder for a future meeting.
- HOLMAN** Mr. Holman responded that he was correct. They are arranging a Work Session with the board to have both a Canine Program discussion and the Personnel Policy Benefits Manual discussion. He will be providing some

dates, and Mrs. Bowders will make sure that the Chief is available for that date and that it's convenient for the board.

5. CONSENT AGENDA

- A. Acknowledge Receipt of January 31, 2010 Treasurers Report.**
- B. Acknowledge Receipt of January 19, 2010 York Area United Fire and Rescue Commission Meeting Minutes.**
- C. Board of Supervisors Work Session Minutes – January 28, 2010.**
- D. Board of Supervisors Regular Meeting Minutes – February 11, 2010.**
- E. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 8 in an amount not to exceed \$51,039.**
- F. Regular Payables as Detailed in the Payable Listing of February 25, 2010.**
- G. SD-07-04 – Time Extension – Ridge View Heights – Plan Expires 3/13/10 (New Plan Date 5/31/10).**
- H. SD-09-03 – Time Extension – Carter – Plan Expires 3/18/10 (New Plan Date 6/18/10).**

LANDIS Ms. Landis requested items A and D be removed for discussion.

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS B, C, E, F, G, AND H. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

A. Acknowledge Receipt of January 31 Treasurers Report

LANDIS Ms. Landis questioned the General Fund and the Sewer Fund. She stated that she had never seen a detailed listing of the investments, interest rates, and maturity dates, etc. She asked if that could be provided in order to see how it is laddered and what those rates of returns are. She added that there are quite a few dollars sitting in the Sewer Fund Investment Accounts and the General Fund.

HOLMAN Mr. Holman responded that the issue had been raised at the last meeting with regard to a presentation on the investments. He requested that Mr. Hadge make a presentation to the board at the March 11th meeting.

LANDIS Ms. Landis questioned the process for sewer bills. She asked when the sewer bill money is received, to which account the money was credited, the Intermunicipal Restricted Account or the regular Sewer Account.

HOLMAN Mr. Holman responded that the funds would come into the Sewer Account. The Intermunicipal Restricted Account represents the funds of all the municipalities. The township bills those municipalities a lump sum. That account will increase in November/December each year when the payments are received.

LANDIS Ms. Landis asked which account the funds come from to replace the old terra cotta sewer lines.

HOLMAN Mr. Holman responded that the sewer line project will come from the Springettsbury Township Sewer Capital Fund Budget. That will not be part of the Intermunicipal Capital, funds from which can only be used for Intermunicipal funded projects such as the sewer plant itself and the lift station on Loucks Mill Road and Route 30. For the township lines only the funds from the Sewer Fund and the Sewer Capital Fund Budget can be used.

LANDIS Ms. Landis noted that to date the Sewer Capital Restricted fund has nothing in it.

HOLMAN Mr. Holman responded that she was correct. That will be replenished because the bonds were closed and will be restored to that account.

LANDIS Ms. Landis amended the February 11th minutes changing the RFQ to RFP, and amending the sentence to read “She was surprised at some of the 2009 year-to-date bank fees of \$23,416.00 in the Sewer Fund and suggested that the administration and the board be alert and watchful with the budgets and expenses to make sure to plug into the right accounts.”

MR. DVORYAK MOVED TO APPROVE CONSENT AGENDA ITEMS A AND D, AS AMENDED. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no items for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Award Bid to Tri-State Grouting, Newark, Delaware for Township Sale of 1997 Cues Sanitary Sewer Televising and Grouting Vehicle in the amount of \$30,000.

HOLMAN Mr. Holman indicated the item does the video televising and grouting of the sewer lines. The piece of equipment has been replaced and the new piece of equipment is in place.

MR. BOWMAN MOVED TO APPROVE THE SALE OF THE 1997 CUES SANITARY SEWER TELEVISIONING AND GROUTING VEHICLE IN THE AMOUNT OF \$30,000. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Agreement with Brickman Sports Turf Services for Replacement of sod in the Springettsbury Township Park Football Field at no cost

to the Township. (Renovations are being donated by Kellogg's Frosted Flakes National Athletic Field Makeover Program).

- WENDEL** Mr. Wendel reported that Walmart stores in the township nominated Springettsbury to receive the funds through Kellogg's to renovate an athletic field. The football field in Springettsbury Township Park was identified for renovation, which will include laying sod in the middle of the field, which had been a problem for a number of years. Although great measures had been taken through application of seeding and top dressing, it has been difficult to revitalize that field and grow grass in the middle of the field. The grant will help enormously. He indicated that Mr. Brandon Putnam from Brickman Sports Turf Services was in the audience to respond to any questions. His company will be installing the sod in the park. If approved, they would like to begin the project in late May. He added that it will minimal impact on the use by the athletic organizations with the reopening of Penn Oaks Park.
- SCHENCK** Chairman Schenck asked whether the field has to be dormant for a season and what the impact will be.
- PUTNAM** Mr. Putnam responded that by doing the work in late May it will be playable in 30 days. It is not a seed project as it is actually laying sod and the sod needs enough time to re-root in its new place.
- SCHENCK** Chairman Schenck asked how Brickman had been selected.
- WENDEL** Mr. Wendel responded that Brickman worked with Kellogg's, and they are working on a number of projects throughout the United States that are being funded by Kellogg's.
- PUTNAM** Mr. Putnam stated that Brickman had partnered with Kellogg's on their Plant-A-Seed program and has 30 of these throughout the nation. It's a partnership between Brickman and Kellogg's and Brickman makes the contacts and find out what can be done with the allotted money, propose that and Kellogg's approves what the board is asked to approve this date. They then schedule and complete the work.
- DVORYAK** Mr. Dvoryak noted there would be no cost to the township.
- HOLMAN** Mr. Holman confirmed there would be no dollars coming from the township as it is a turnkey operation.
- SCHENCK** Chairman Schenck asked whether the township would have to front-end any cash.
- HOLMAN** Mr. Holman responded that there was nothing to be paid from the township.

- WENDEL** Mr. Wendel commented that it is basically a donation.
- LANDIS** Ms. Landis asked whether there would be any display of Kellogg's on the field.
- PUTNAM** Mr. Putnam indicated that on the actual day that the renovation begin and when they are completed, there will be some PR involved. They will turn it into a field day and invite the local media. There is a type of an unveiling involved. The project should take between three days to a week depending on the weather in May.
- WENDEL** Mr. Wendel stated that there would be no permanent advertisement.
- BISHOP** Mr. Bishop asked if the township would be permitted to do any advertising.
- PUTNAM** Mr. Putnam responded that he could try to paint some advertisement.
- LANDIS** Ms. Landis noted that the EYC football program would be ecstatic.

MS. LANDIS MOVED TO AUTHORIZE TO ENTER INTO AGREEMENT WITH BRICKMAN SPORTS TURF SERVICES TO REPLACE SOD IN THE SPRINGETTSBURY TOWNSHIP PARK FOOTBALL FIELD AT NO COST TO THE TOWNSHIP. RENOVATIONS ARE BEING DONATED BY KELLOGG'S FROSTED FLAKES NATIONAL ATHLETIC FIELD MAKEOVER PROGRAM. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- SCHENCK** Chairman Schenck thanked Mr. Putnam very much. He noted that this would be good and meaningful news for the newsletter.
- LANDIS** Ms. Landis noted that it would be good to get something on the website under the news link.
- HOLMAN** Mr. Holman stated that there was an item already in progress.

C. Line Painting – Alpha Space Control

- SCHENCK** Chairman Schenck noted that Mr. Holman had requested consideration for the annual line painting program. He explained for Ms. Landis' information that the township had been doing a joint bid with other townships to get the road lines painted, which had lowered the township's costs and eliminated the township doing the line painting.
- HOLMAN** Mr. Holman indicated that, following board approval, he will be forwarding the contract to the next municipality. He stated that Mr. Lauer was pleased with the contract.

SCHENCK Chairman Schenck asked about the bid amount.

HOLMAN Mr. Holman responded that the township bid 160,000 linear feet of double yellow lines and 30,000 feet of six-inch white lines. Mr. Lauer expected the township's cost to be \$13,100 under this contract. If, because of the winter, some of the lines have worn off, the estimate may be slightly more.

MR. BISHOP MOVED TO AUTHORIZE TO ENTER INTO THE LINE PAINTING AGREEMENT WITH ALPHA SPACE CONTROL FOR AN ESTIMATED AMOUNT OF \$13,100. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. Adoption of Cinema Road

HOLMAN Mr. Holman indicated that they had been waiting for the maintenance bond which was delayed for several months. Once that bond came in the township could sign off. Cinema Drive and Stoneridge are the two up for adoption this evening.

SCHENCK Chairman Schenck asked if the road was satisfactory.

LUCIANI Mr. Luciani responded that the township had been satisfied since warm weather but could not get the bond.

SCHENCK Chairman Schenck noted that the township took a PR beating in the recent weather on that road, which wasn't plowed. He was aware that it was not a township road, but residents don't understand that.

LUCIANI Mr. Luciani stated for the record that all the roads in Orchard Hills are not township roads. All the roads that Keystone Custom Homes built off Eastern Boulevard are not township roads.

SCHENCK Chairman Schenck indicated that if a resident does not attend township meetings and don't know whose roads are whose, it's hard to understand the plowing.

HOLMAN Mr. Holman indicated that they do receive calls, which are referred to the different developers.

MR. BOWMAN MOVED FOR THE ADOPTION OF RESOLUTION 2010-35, CINEMA AND STONEWOOD ROADS. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

- LANDIS** Ms. Landis brought forward an update regarding the York Galleria Parking Lot issue. She asked whether any correspondence or update had been received.
- BAUGH** Mr. Baugh responded that they had reviewed the issue from many different angles to allow the Galleria to have tent sales that are not allowed in other subdivisions. They reviewed parking spaces, covered malls, products sold. It is not an easy proposition which has been reviewed for a number of years. The township had indicated a willingness to review any suggestions that the Galleria could provide but they have not received anything.
- BISHOP** Mr. Bishop commented that he did not remember the board discussing the Galleria parking lot issue.
- LANDIS** Ms. Landis responded that there had been an email from the General Manager of the Galleria Mall copied to all the board members. Ms. Landis indicated that the Manager had been reaching out to the township since August of 2009 to develop some changes in the policy language and is willing to work with the township. The last email was that Community Development and the Zoning Board were going to look at the policies and see how possibly some legal language could be designed so that some of the things they want to do would be possible. They're looking to increase their revenues. She stated that they are one of the biggest taxpayers in the township and want to foster a good relationship, but there did not appear to be much feedback.
- BAUGH** Mr. Baugh stated that there had been feedback. One of the things that was requested was developing the portion of property behind the warehouses and possibly putting in restaurants there. The information was provided to her. The Galleria's problem is that they're allowed a tent for 45 days a year. Boscov's, by contractual arrangement with CBL as the manager, has 30 days of that. If we increase the time for them, then it must be increased for every other business. He added that they are not asking for the tent to sell products sold in the local stores, Bon Ton or Sears. They're asking to bring in products from off site to sell. That may open up a Pandora's box. Once that is done, it opens up flower sales along Market Street, fireworks tents, Christmas tree sales, sheds in Sears parking lot, sofas, etc.
- SCHENCK** Chairman Schenck noted that it had been a Zoning and Planning issue of the township for years. What they're asking for is a major re-write of our Zoning requirements. It doesn't feel like it to them because they're looking at their site and they know what they want to do. The township cannot write something special for one group and not another.
- LANDIS** Ms. Landis asked whether there would be a way to revise the policy and add some restrictions as to what is acceptable and what is not acceptable for tent

sales. She had only seen a few tent sales in this area, Galleria and Christmas Tree Hill.

BISHOP Mr. Bishop commented that, just as Mr. Baugh stated, Boscov's had been requested to provide suggestions for something better, but the township had not received any information.

LANDIS Ms. Landis responded that she was advised that the General Manager had provided some suggestions for ordinances. She asked when the last time was that anyone had reached out or had any kind of dialogue with the York Galleria.

BAUGH Mr. Baugh responded that he and Ms. Hull had responded to the management of the Galleria within the last month or so. He added that they will be glad to review any ordinance information that the Galleria would present.

RAUSCH Solicitor Rausch stated that it would be a policy decision for the board. An ordinance can be written if the board wanted to allow all that had been requested. The problem will be in picking and choosing what will be allowed. Others will come in with the same request and be denied. He recalled the issue with Easter flowers. The local florists complained and asked why the people were allowed to come in and sell in the township. They had no overhead, paid no taxes, etc. The Galleria is feeling that pinch now. They're okay as long as they're selling products associated with the Galleria and in the timeframe of days that they're allowed to do so. The problem is that they now want to sell products that are not related.

LANDIS Ms. Landis added that they wanted to expand the number of days also.

RAUSCH Solicitor Rausch stated that it would be a policy decision. If the board wanted to increase the number of days there was no magic to that number. Any expansion would apply to everyone.

LANDIS Ms. Landis asked whether this would apply under the same umbrella as the York Food Bank.

RAUSCH Solicitor Rausch responded that it would.

LANDIS Ms. Landis commented that at the time the board had advised Mr. Olson to reach out to the township. She hoped there had been some sort of communication.

RAUSCH Solicitor Rausch stated that Mr. Olson met with Mr. Holman and a representative of his office and they reviewed what he could do. He could rent leased space somewhere in the township and he would be able to then do what he wanted to do.

LANDIS Ms. Landis asked whether it would make any difference if it is a non-profit or a 501C3.

SCHENCK Chairman Schenck responded that was the history. At one time they had exempted non-profits, and the courts decided that it could not be done.

RAUSCH Solicitor Rausch indicated that they had written a provision for non-profits to the extent that they keep within a certain area, 10X10.

HOLMAN Mr. Holman noted that it was not just non-profits. It is a 10X10 area on the sidewalks because there can be no distinguishing between not-for-profits and for-profits.

RAUSCH Solicitor Rausch noted that's for off-site. They can sell something that's not related to the business.

SCHENCK Chairman Schenck indicated he wanted to make sure that communications are flowing. He asked whether the township is upholding its end of the communication. He noted that even if the township is saying no, that is communication.

LANDIS Ms. Landis stated that on the Municipal Service Statement, the township strives for a quick response time, and it needs to be brought to attention and follow up and insure that the citizens concerns are being handled.

HOLMAN Mr. Holman stated that he had responded to Lucinda Hartzhorn from the mall advising her that Mr. Baugh, as he stated earlier, and the township planner, were reviewing the issue, and they will take it back to the Planning Commission which would be the proper location for this to go to so that the Planning Commission can look at it and decide if there is merit or not. They would be the ones to provide a recommendation to the Board of Supervisors in a form of an ordinance. As a matter of fact, I believe Lucinda or the previous manager came in during the Comprehensive Planning and Lucinda, during one of the Town Center meetings, expressed concerns with regard to this. Mr. Holman offered to contact her again to indicate that there is work being done on it. It is difficult to create something specific for one specific spot. He added that spot zoning and rules can be very difficult to keep in place.

LANDIS Ms. Landis thanked him for the follow up.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch indicated he had nothing to add to his written report.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that, in addition to his supplemental report, there would be a Local Government Agency Board Meeting on March 11 prior to the regular meeting at 6 p.m. He noted that there are two grievances to be heard by the board. Solicitor Rausch will schedule the meeting and information will be provided to the board. Mr. Holman stated that there would be a Work Session and Public Hearing with regard to the Town Center Plan at 6 p.m. on March 25th and Marian Hull will be making a presentation.

RAUSCH Solicitor Rausch indicated the March 25th meeting would cover the Town Center Comp Plan and Zoning Amendment.

HOLMAN Mr. Holman congratulated David Wendel. The annual report for the Recreation Department has been singled out to receive an award. Mr. Wendel will attend a dinner to accept the reward. He will be coming to a meeting to present it to the board.

SCHENCK Chairman Schenck commented that Mr. Holman mentioned the Emergency Declaration in his supplemental report.

MR. BISHOP MOVED TO RATIFY THE EMERGENCY DECLARATION DURING THE RECENT SNOWSTORM. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

BISHOP Mr. Bishop noted that there had been some discussion concerning expanding the Emergency Declaration ordinance that actually disallows parking.

HOLMAN Mr. Holman stated that he and Mr. Lauer will be meeting with the Police and Fire Chiefs. There are problems with people parking in the streets. They will attempt to identify areas where driveways are available for residents to pull off the street. There were significant difficulties getting around during the snowfalls of recent weeks.

BISHOP Mr. Bishop was glad to hear that there was a meeting scheduled for discussion.

DVORYAK Mr. Dvoryak asked about the Canine program and the Benefits Policy and having a Work Session. He asked if it was to be held soon.

HOLMAN Mr. Holman responded that he needed to coordinate that with Mrs. Bowders and the Police Chief's schedule. He will get back to the board with some dates to get it scheduled and advertised.

12. ORDINANCES AND RESOLUTIONS

A. Resolution No. 2010-35 – Accepting the Offer of Dedication for Public Use of Cinema Drive and Stoneridge Road.

This item was acted upon earlier during the Agenda.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop stated that there had been no activity whatsoever.

B. Canine Program

This item is a place holder for future discussion.

C. Mount Rose Avenue Widening Project: Sidewalks

This item had been presented earlier during the Agenda.

14. NEW BUSINESS

A. Act 44 Assets Smoothing: Tom Zimmerman, Conrad Siegel Actuaries

This item had been acted upon earlier during the Agenda.

B. Emergency Declaration

This item had been acted upon earlier during the Agenda.

Work Session Discussion

SCHENCK Chairman Schenck called attention to the fact that PennDOT planned to put up larger stop signs, warning signs and stop bars on Druck Valley and Mt. Zion Roads.

LANDIS Ms. Landis asked if the Canine Program Work Session would be held during the month of March.

HOLMAN Mr. Holman responded that was his goal.

BISHOP Mr. Bishop asked whether it was crucial to combine those two items in one Work Session. He thought it sounded like a lot for discussion.

HOLMAN Mr. Holman responded that it was not necessary.

LANDIS Ms. Landis indicated she had a lot of questions regarding the Canine Program.

HOLMAN Mr. Holman responded that he would schedule two Work Sessions.

15. ADJOURNMENT

SCHENCK Chairman Schenck reminded the board of the Executive Session to be held immediately following adjournment with Solicitor Rausch. He adjourned the meeting at 8:40 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**FEBRUARY 11, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, February 11, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Dave Eshbach, Chief, Police Department
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:00 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that an Executive Sessions was held prior to the Regular Meeting this date to discuss a personnel matter and the potential acquisition of real estate.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill stated that he had provided a written report and had nothing additional to add.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani stated that he had submitted a written report, and he had two updates to that report.

- Rail Trail Project – Application to be submitted for variance to fill in floodway.
- Mt. Rose Avenue - PennDOT widening project – Cost of sidewalk; presentation at next meeting.

BOWMAN Mr. Bowman asked which side of the street would be affected for sidewalks.

LUCIANI Mr. Luciani responded that the widening would take place on the south side of Mt. Rose Avenue. Right-of-way had been obtained from St. John’s Lutheran Church, which will require some retaining walls. A cost estimate will be prepared, which the township will bear.

LANDIS Ms. Landis asked about the North Hills railroad track failure. She thanked Mr. Luciani for the pictures he had provided her, which allowed her to get an up-close view of the damage. Mr. Luciani had indicated that the official referee would be the Public Utility Commission and it could take a long time. She asked what Mr. Luciani’s estimate would be of a long time to come to resolution.

LUCIANI Mr. Luciani explained the legal process. First, a complaint is filed. If Norfolk Southern does not believe it is justified, it will be sent through a Public Utility Commission procedure, which could take in excess of a year. A more efficient way to handle it would be to work with Norfolk Southern to agree that there’s a problem that needed repair. He had discussed it with some technicians and Mr. Holman may need to go higher to apply some pressure. The township had built that crossing in a joint effort with Norfolk Southern and paid for all the panels. It is a failing crossing, and Mr. Bowman was familiar with a number of vehicles that had some issues because of it. Mr. Luciani noted that the crossing on Memory Lane is identical material and has been there longer with no problems.

BOWMAN Mr. Bowman asked what would happen if a train was to derail there or motorists have blown out tires. He asked who would be responsible.

LUCIANI Mr. Luciani responded that it is a welded track section through that area, which was one of the big costs. That segment of rail is one connected piece, so as far as derailment it should not occur. It’s more the riding surface and damage to it. It is a state roadway, and PennDOT has not been involved. That might be one outlet to get Norfolk Southern’s cooperation. If someone had a damage claim, the

owner is Norfolk Southern. In this particular case, to precede any legal agreement, they would be responsible for maintenance of that at-grade crossing.

LANDIS Ms. Landis learned from the Pennsylvania Township News that the week of February 14th through 20th is National Engineers Week. She thanked the engineers for all the work done on behalf of the township.

LUCIANI Mr. Luciani thanked her and added that the reason why it's always President's Week is because George Washington and many of the other Presidents were lawyers, as well as engineers.

5. CONSENT AGENDA

- A. Board of Supervisors Public Hearing Minutes – January 28, 2010.**
- B. Board of Supervisors Regular Meeting Minutes – January 28, 2010.**
- C. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 7 in an amount not to exceed \$69,300.**
- D. Conewago Enterprises, Inc. – BNR Improvements Project (General) – Request for Payment No. 9 in an amount not to exceed \$1,096,565.56.**
- E. Regular Payables as Detailed in the Payable Listing of February 11, 2010.**
- F. LD-08-12 – Time Extension – Yale Electric – Plan Expires 2/25/10 (New Plan Date 5/25/10).**

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

6. ACCOUNTS PAYABLE

- A. Authorization to Approve Request for Refund from Hagemeyer North America, Inc. for Overpayment of Business/Mercantile Taxes for the Years 2007 and 2008 in the amount of \$60,890.**

SCHENCK Chairman Schenck commented that item A related to a tax refund for Hagemeyer North America. He requested that Mr. Dvoryak handle this matter of business because his wife, Harriett, works for Hagemeyer. He hoped everyone took note to the timeline and documentation that came along with this. It was submitted to the Tax Collector nearly a year ago, and the board received a handwritten, very hard to follow document 11 months later.

BISHOP Mr. Bishop asked whether communication between the Tax Collector and the township all privileged.

RAUSCH Solicitor Rausch responded that it was not privileged.

- BISHOP** Mr. Bishop asked whether the letter could be construed as a public document.
- RAUSCH** Solicitor Rausch responded that he was correct, yes.
- DVORYAK** Mr. Dvoryak asked whether the board members had any questions about the documentation provided to them. He asked Mr. Holman what level of view the board should take when receiving an item like this. He noted that the handwritten sheet of paper supposedly justified the refund, which is a big ticket dollar item.
- HOLMAN** Mr. Holman responded that the Finance Officer had double checked it, and it had been reviewed by the Solicitor. Mr. Holman had contacted Hagemeyer himself as well and also sent a letter. Because there was somewhat of a delay, they had contacted York Adams Tax Bureau and checked what their payment was in the year 2009 in order to match that against the numbers. All of those proved that the refund was correct and is due back to Hagemeyer. The only thing further that could be done is to request an original book of entries and go back and review all the documentation, but based on all the reviews, the information and amount provided by the Tax Collector is correct.
- DVORYAK** Mr. Dvoryak asked what the Hagemeyer organization does.
- SCHENCK** Harriett Schenck responded that they sell electrical supplies both wholesale and retail.
- DVORYAK** Mr. Dvoryak commented that there is a retail counter in the township, which is what they should be paying the tax on prior to shipment.
- HOLMAN** Mr. Holman responded that they paid it on their gross sales as opposed to just sales in Springettsbury. He added that it had probably been caught during an audit.
- DVORYAK** Mr. Dvoryak added that probably they were evaluating the cost of doing business in Springettsbury Township.
- LANDIS** Ms. Landis asked, since this was obviously a few years ago and it's a nice ticketed item, what line item would this be taken from out of the budget.
- HOLMAN** Mr. Holman responded that it will come out of the surplus, the General Fund, and there will be an adjustment in the 2011 audit for 2010 of funds received coming out of the Mercantile Tax and General Fund.

MR. BOWMAN MOVED FOR AUTHORIZATION TO APPROVE REQUEST FOR REFUND FROM HAGEMEYER NORTH AMERICA, INC. FOR OVERPAYMENT OF BUSINESS/MERCANTILE TAXES FOR THE YEARS 2007 AND 2008 IN THE

AMOUNT OF \$60,890. MS. LANDIS WAS SECOND. MOTION CARRIED. MR. SCHENCK ABSTAINED DUE TO HIS WIFE'S EMPLOYMENT WITH HAGEMEYER.

B. Authorization for Payment to Martin Library in the amount of \$37,000.

SCHENCK Chairman Schenck noted that the \$37,000 is the normal budgeted amount that is presented to Martin Library annually.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION FOR PAYMENT TO THE MARTIN LIBRARY IN THE AMOUNT OF \$37,000. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Purchase Two New Police Vehicles – Two (2) 2010 White Ford Crown Victorias through COSTARS from Warnock Chevrolet @ \$22,280.88 each for a total cost not to exceed \$44,561.76.

SCHENCK Chairman Schenck noted that three vehicles were budgeted, and item A covered only two. The remaining budget is \$52,000 for vehicles.

HOLMAN Mr. Holman noted that there are additional items to be added when the new vehicle is delivered.

SCHENCK Chairman Schenck noted that the board would just be approving the purchase. He asked when the third vehicle would be purchased.

HOLMAN Mr. Holman responded that they are waiting to hear on a grant from the state with regard to fuel efficient vehicles and alternative energy before moving forward with the third purchase. That also impacts two other vehicles to be purchased in the township. They requested three hybrid vehicles to replace three full gas vehicles in the state grant.

SCHENCK Chairman Schenck asked whether the department was short on vehicles. He was aware that other organizations are attempting to get the hybrids and would have a year wait.

ESHBACH Chief Eshbach responded that the minimum time on the contract is 365 days. They have one car currently in maintenance with a down transmission.

LANDIS Ms. Landis asked which vehicles would be replaced and what would be done with those vehicles.

ESHBACH Chief Eshbach responded that Car 2, Car 5 and Car 17 are slated to be replaced.

HOLMAN Mr. Holman noted that the vehicles to be replaced with be sold. He added that the Chief recommends which cars to be replaced, and those recommendations go to the Fleet Manager, Charlie Lauer in Public Works. He checks the car's mileage and maintenance records.

MS. LANDIS MOVED TO APPROVE AUTHORIZATION TO PURCHASE TWO NEW POLICE VEHICLES: TWO (2) 2010 WHITE FORD CROWN VICTORIAS THROUGH COSTARS FROM WARNOCK CHEVROLET @ \$22,280.88 APIECE FOR THE TOTAL COST NOT TO EXCEED \$44,561.76. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Approve Change Order Request No. 5 – Conewago Enterprises – BNR Project in a total amount not to exceed \$5,105

SCHENCK Chairman Schenck noted that there had been a list of change orders in relation to the BNR project at the Wastewater Treatment Plant, the net of which is \$5,105. He added that all the changes had been approved and implemented.

LANDIS Ms. Landis commented on an item concerning the steel truss extensions. She asked whether they could be coated with a rust-resistant substance versus doing a complete change order.

CRABILL Mr. Crabill responded that no matter what coating is put on steel at a wastewater treatment facility, eventually rust will occur. These are directly over the clarifiers so they're within three feet of water all the time.

LANDIS Ms. Landis stated that Buchart-Horn had designed them.

CRABILL Mr. Crabill indicated that they had been designed as steel because they thought what was there was steel because the coating that accumulated on the aluminum appeared to be a powder coating. They were unable to determine that it was still aluminum until they actually scraped it and checked it with a magnet.

LANDIS Ms. Landis questioned another item with regard to the shop drawing process. She noted that the contractor submitted a type of extension coupling, with which Buchart-Horn was not comfortable but which met the contract specs. She asked why they would allow and accept that type of extension coupling if they were uncomfortable with it.

CRABILL Mr. Crabill indicated that they had not accepted it. It had been rejected because it was not the type they wanted. It was a bid-type specification and the coupling

cannot be specified. There must be a good reason to sole source anything.
Because it was rejected it ended up in a change order.

**MR. DVORYAK MOVED TO AUTHORIZE APPROVING CHANGE ORDER
REQUEST NO. 5, CONEWAGO ENTERPRISES, THE BNR PROJECT IN A TOTAL
AMOUNT NOT TO EXCEED \$5,105. MR. BOWMAN WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

**C. Authorization to Award Manhole Rehabilitation Contract to National Water Main
Cleaning Company in an amount not to exceed \$76,793**

SCHENCK Chairman Schenck asked Mr. Crabill if this was the same one that had been rejected previously. There was a bid that was questioned, and the bidder did not have the necessary experience.

CRABILL Mr. Crabill responded that he was correct that it had been rejected last month. In this particular case the bidder came in low, but because they were not qualified the next lowest bidder received the bid. It still uses the same product, but the bidder had the qualifications.

HOLMAN Mr. Holman indicated that a notice had been sent to the rejected bidder advising them of the reasons for the rejection.

LANDIS Ms. Landis asked whether there was any correspondence from them indicating they had forgotten to send documentation of their experience.

CRABILL Mr. Crabill stated that they sent documentation of all sorts of experience but not with this particular product.

**MR. BOWMAN MOVED TO APPROVE AUTHORIZATION TO AWARD MANHOLE
REHABILITATION CONTRACT TO NATIONAL WATER MAIN CLEANING
COMPANY IN AN AMOUNT NOT TO EXCEED \$76,793. MS. LANDIS WAS SECOND.
MOTION UNANIMOUSLY CARRIED.**

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis provided some information to the board members with regard to the Build America Bond. The information covered the federal fiscal year budget and it noted that there will be some changes to the program. The subsidy credit will be dropped from 35% to 28% and will end at the end of 2010. They are trying to make this program a permanent program, but after the 31st of December it will no

longer exist unless it is approved. The 35% will still be available for 2010 with no guarantees. Moving forward into 2011 it will be at 28% if Congress approves it. In Ms. Landis' opinion, the subsidy issue made her more skeptical to go into something like that versus a traditional tax exempt security. That was the reason she had voted no on going with this program.

LANDIS Ms. Landis noted that she had spoken with some residents who wanted to know if the meetings could be televised. They provided Steve Bush's card from White Rose Community Television. Ms. Landis had provided the Manager's information to contact and go through the logistics. Ms. Landis thought it was a great opportunity for the local community to see the meetings at hand and the dynamics and engage residents to come out to the meetings. Mr. Bush will contact Mr. Holman.

SCHENCK Chairman Schenck wanted to note appreciation for the long, hard hours in difficult conditions that the Public Works people and everyone involved with the township do in a time of severe weather. It is hard on everyone and generally they only hear the negative. He wanted to be sure that they all know that it is very much appreciated.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch reported that he had one item to bring to the board's attention. He asked whether anyone recalled a Mark Ream, who had passed away and left his estate to the township for the police department. However, it appears that his estate is insolvent. Harry Ness was appointed executor, however, he is now a Judge and had to resign. The township is next in line to be executor. If the board does not want that responsibility, Mr. Holman could execute a renunciation, on behalf of the township, and then the attorney will find someone else. The township would not be waiving any right to receive any money, just to act as executor of the estate. He asked for a motion.

SCHENCK Chairman Schenck asked whether Mr. Ream was familiar to the police.

ESHBACH Chief Eshbach responded that Mr. Ream had owned a coin operated business, and the police would see him around at night time with his proceeds for that day. They were familiar with him because he was out at night collecting.

MR. DVORYAK MOVED TO AUTHORIZE JOHN HOLMAN, AS TOWNSHIP MANAGER, TO SIGN A RENUNCIATION ON BEHALF OF THE TOWNSHIP. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that his report had been sent out prior to the snowstorm. He had some additional items for the Agenda. He requested adoption of a Resolution for approving depositories. In addition, he requested a motion to approve the original emergency declaration. He reported that he had spoken with Scott Mehok about the Build America Bonds. The township is locked in at the 35%, even if they make it permanent and decrease the percentage. He noted that the program was supposed to be temporary.

SCHENCK Chairman Schenck commented that they are not suggesting making it retroactive or taking it away.

HOLMAN Mr. Holman responded that what President Obama had requested is that they make this a permanent program but anything into the future would be at the 27% as opposed to the 35% interest rate reimbursement. Mr. Mehok had been tracking this very closely inasmuch as the township was one of the first to take advantage of the program.

LANDIS Ms. Landis stated that was her understanding that the township was locked in to the 35%. However, she indicated there was no guarantee that they might lower the rate, and they have the right to do that at any time, even with the language stating that it's locked.

BISHOP Mr. Bishop commented that they would have the right to do that if they want to break the covenant they made with us that said they were not going to do that.

LANDIS Ms. Landis noted that the federal government is involved, and they are already changing the game with this program.

BISHOP Mr. Bishop stated that they had not changed the rules at all.

LANDIS Ms. Landis responded that they were trying to change the rules. It was a temporary program and now they're trying to make it a permanent program.

BISHOP Mr. Bishop commented that they are not talking about changing anything retroactive.

LANDIS Ms. Landis responded not at this point.

BISHOP Mr. Bishop stated that they are only talking about changing the future. The federal government, to his understanding, is very slow to change things retroactively. Mr. Bishop stated that the township got into a program that the federal government is not going to break its word on. There's no history of that. It may change for the future so the township might not want to do it the next time

but he did not think there was a lot of evidence or risk that they're not going to grandfather in the township.

BISHOP Mr. Bishop asked Mr. Holman about a note in his Manager's Report concerning the Comcast contract. He thought there was a question as to whether there was interested at all in having any public hearings.

HOLMAN Mr. Holman responded that having a public hearing is required concerning the cable contract. He questioned whether or not the board would want to do a joint meeting with some of the other boards or have one independently. He had contacted several other municipalities questioning their interest.

RAUSCH Solicitor Rausch noted for information that Dover Township voted to hold an independent hearing as they did not want to hear residents from other townships complain.

Consensus was to hold an independent public hearing at the Springettsbury Township office.

DVORYAK Mr. Dvoryak noted in the supplemental report that there is a comprehensive canine report. He asked whether there was any action the board needed to take.

HOLMAN Mr. Holman responded that no action was necessary, that it was for information to review. He had added some additional attachments from him and from Chief Eshbach for Ms. Landis so that she could be brought up to date.

DVORYAK Mr. Dvoryak asked if he was looking for feedback from the board.

HOLMAN Mr. Holman responded that the board needed to review the report, and feedback over the next two weeks would be helpful.

12. ORDINANCES AND RESOLUTIONS

A. Resolution 2010-34 – Designation of Approved Depositories

HOLMAN Mr. Holman stated that the item re-adopts the depositories and adds Susquehanna Bank as a depository for the Sewer Fund. He requested that the board take action on Resolution 2010-33. Susquehanna Bank won the proposal for investment for the proceeds in competition with Citizens, Fulton and Metro, and Susquehanna had provided the winning proposal for the sewer lock box services, which addresses three major issues: cost savings over the current provider; compatibility of the bank software with the township; and local bank drop off services for the citizens.

SCHENCK Chairman Schenck asked where the branches are in the township.

HOLMAN Mr. Holman responded that branches are located Kingston and Eastern Boulevard and on Whiteford Road right behind Metro Bank.

SCHENCK Chairman Schenck asked if they take cash for sewer bills.

HOLMAN Mr. Holman responded that they will take cash and there will not be a fee for paying cash for a sewer bill.

DVORYAK Mr. Dvoryak asked how actively the various deposit relationships in the township are managed. He made the following summarized points:

- Rates on various money funds change daily.
- Reserve funds are placed with a bank earning money market rate of return.
- Should the township lock in to bank relationships from January through December or remain flexible with actively managed funds.
- Smart money management would be to place money in an account that pays the best interest rate.

HOLMAN Mr. Holman responded that funds are invested in CD's, Smith Barney and other programs. The bond funds will not be reinvested for a year with the highest rate of interest. The Sewer Funds will be reinvested.

DVORYAK Mr. Dvoryak noted that the General Fund is with Citizens Bank.

HOLMAN Mr. Holman responded that he was correct but a lot of that money is in Smith Barney or other areas earning interest. This particular group will handle the checking and savings. Each night the money is swept into the interest-bearing accounts.

SCHENCK Chairman Schenck noted to Mr. Dvoryak's point there must be a working relationship. However, the normal fund balances, and even the fire company funds are invested for six months or a year at a time because the funds won't be used immediately.

DVORYAK Mr. Dvoryak noted that it was one of the things he does for a day job, and he reported that Graystone Bank is paying some of the highest money market funds around. They have a branch in the township, FDIC insured; however, he was not sure what criteria are used to invest funds for longer term. He noted that it seemed as though there might be some opportunities that are not being taken advantage of to enhance the return, especially with some of the big fund balances that can be placed there for months at a time.

SCHENCK Chairman Schenck asked Mr. Holman whether, by passing this resolution, it would lock in the funding. He asked whether there would be anything needed for the

HOLMAN Mr. Holman responded that the resolution could be adjusted but he would have to work with Solicitor Rausch.

SCHENCK Chairman Schenck noted that some of this was done by RFQ.

HOLMAN Mr. Holman responded that it was done by RFQ in 2005.

SCHENCK Chairman Schenck commented that what was done for the Sewer Fund was by RFQ as well.

BISHOP Mr. Bishop added that to that point there is no requirement with the Sewer Fund to keep that money in that account. It was his understanding that this changes just that the transactions happen there, and then the money can be moved into Smith Barney or wherever.

HOLMAN Mr. Holman responded that the only thing being secured in this is the bond funds, and they will be out within a year. They are being spent down very quickly, and the return is the highest interest rate possible based on the number of banks reviewed. The lock box service was chosen for that bank because the costs were the lowest, and they will not charge for cash payments.

BISHOP Mr. Bishop noted that those costs are essentially the individual transaction costs.

HOLMAN Mr. Holman responded that he was correct. It is interest, offsetting transactions and one important element is that their financial software package matches up to the township. That was one of the things that took the longest on these programs. The lock box service is a very important program. He offered to work with Mr. Hadge and Solicitor Rausch to review the resolution and make adjustments. He indicated he could come back in two weeks with some specifics. He will ask Mr. Hadge to review the banks and interest-bearing products.

SCHENCK Chairman Schenck asked whether he needed some action on the resolution this date. He indicated that the Code required the township to designate the depositories.

HOLMAN Mr. Holman responded that the resolution is exactly the same as before. The only change is that he added sewer so that he could deal with the investments for the bond proceeds and get the lock box services started from the date of adoption. He scheduled a meeting with them next week to start a time frame for transferring those services to make sure to get notices out to the public.

LANDIS Ms. Landis commented that the last time an RFP was placed was five years ago. For some of the funds, since it is taxpayer money, it would be a good practice to do so. She was surprised at some of the 2009 year to date bank fees of \$23,416.00 in the Sewer Fund and suggested that the administration and the board be alert and watchful with the budgets and expenses to make sure to plug into the right accounts.

BISHOP Mr. Bishop noted that specifically was the one that was about to be fixed. He added that one of the reasons was because Mr. Holman had been working on getting that, but it was difficult to find a vendor that had the blend of services that could take over. The bank fees were high but not because nobody was paying attention to it. It was the nature of the very specific set of services which were required to make the whole system work.

SCHENCK Chairman Schenck stated that there was a need for action on the resolution, and there will be additional action taking place in the near future.

MR. BISHOP MOVED TO APPROVE RESOLUTION 2010-34 DESIGNATING APPROVED DEPOSITORIES. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1. MS. LANDIS ABSTAINED AS SHE IS EMPLOYED BY SUSQUEHANNA BANK.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop indicated that there had been no activity whatsoever with respect to YorkCounts.

B. Cable TV Agreement

This item was addressed earlier in the Agenda.

C. York Tax Collection Committee Update

HOLMAN Mr. Holman reported that the York County Tax Collection Tax Committee met and reviewed the option on voting. They were asked to discuss the voting options with the township and governing bodies. The issue is whether to move from a weighted vote to an unweighted voting option. He had provided the board with detail concerning the matter. The township had been on a weighted vote option. Mr. Holman added some information regarding the way it works. A small borough might have a .01% of a weighted vote. Springettsbury's weight is worth 3.2% or 3.2% of the overall vote, municipality and school district. In municipalities Springettsbury is worth about 4.4%. The vote to be taken is

whether or not all future votes will be by one vote, one government entity or shall be based upon the weighted scale.

Consensus was to move forward with a weighted vote.

14. NEW BUSINESS

A. Acknowledge Receipt of GASB 45 Actuarial Valuation as of January 1, 2009

MR. DVORYAK MOVED TO ACKNOWLEDGE RECEIPT OF GASB 45 ACTUARIAL VALUATION AS OF JANUARY 1, 2009. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization for Emergency Purchase of a Variable Frequency Drive (VFD) for the East York Pump Station from GES Automation Technology in the amount of \$16,855.

SCHENCK Chairman Schenck stated that, acting in his authority because it was an emergency, Mr. Holman authorized the purchase of a new drive for the one pump station. The board is authorizing his purchase.

MR. BISHOP MOVED TO AUTHORIZE THE EMERGENCY PURCHASE OF THE VFD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Snow Emergency

MR. DVORYAK MOVED TO APPROVE EMERGENCY DECLARATION BY THE TOWNSHIP MANAGER AND THE RECISSION THEREOF DUE TO RECENT WEATHER EMERGENCY. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

DVORYAK Mr. Dvoryak asked when the Susquehanna Sewer Billing Program would start.

HOLMAN Mr. Holman responded that he and Mr. Hadge have a meeting scheduled with the bank for the week of February 15th at which time they will set up a schedule and how to do the turn over. He wanted to be sure to get the proper notices out to the residents.

LANDIS Ms. Landis asked about the resignation in the Finance Department. She had been looking over the number of employees, which indicated five full-time employees.

HOLMAN Mr. Holman confirmed that there are five full-time authorized employees.

- LANDIS** Ms. Landis indicated that there are now three current and two vacant with the resignation. She asked whether it will hinder the Finance Department. She was not sure what their job duties are, but asked whether three people would be able to keep things running smoothly for the township until another person is hired.
- HOLMAN** Mr. Holman responded that a temp was coming in to help with phones and assist while the replacement process takes place. He noted that the interviews should begin on Friday of this week.
- BOWMAN** Mr. Bowman noted that several people had departed in that department. He asked whether they were too busy or not busy enough.
- HOLMAN** Mr. Holman responded that would be a matter of a personnel discussion which would have to be done in Executive Session.
- LANDIS** Ms. Landis asked whether exit interviews were conducted.
- HOLMAN** Mr. Holman responded that proper exit interviews are conducted as a matter of policy.
- BISHOP** Mr. Bishop asked about the status of moving payroll out of the Finance Office.
- HOLMAN** Mr. Holman responded that payroll had already been moved out of the Finance Office. They will provide backup services for payroll if necessary. The services were returned to the Human Resources Office. The fund transfer duties remain with the Finance Office so that there is a separation of duties and responsibilities, which makes the auditors very happy.
- LANDIS** Ms. Landis asked what the main duty and function of the position.
- HOLMAN** Mr. Holman responded that they were assisting with the sewer processing and reconciling accounts, accounts payable and invoicing.
- DVORYAK** Mr. Dvoryak asked whether they still do some of that for YAUFRR.
- HOLMAN** Mr. Holman responded that he was correct. They still do the YAUFRR work.
- LANDIS** Ms. Landis asked when the individual's last day is and whether there will be ample time to find a replacement.

HOLMAN Mr. Holman responded that ample notice was provided. He added that he was uncomfortable discussing personnel matters in public. The advertisement for the position was made in Sunday's paper, again this date, and the final date for the ad is 2/19/10. At that time, when all resumes will have been received, Human Resources will then review the resumes in accordance with the job description, and the interview process will begin.

LANDIS Ms. Landis asked how long the individual had been employed by the township.

HOLMAN Mr. Holman responded that it had not been an extended period of time.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:10 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 28, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 28, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Dennis Crabill, Environmental Engineer
John Luciani, Civil Engineer
Jim Baugh, Community Development Director
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Bob McCoy, Chief, York Area United Fire and Rescue
Jean Abrecht, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:00 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting and none had been scheduled for this date.

3. COMMUNICATION FROM CITIZENS

STUHRE Charles Stuhre, 3680 Trout Run Road, discussed the juncture of Druck Valley and Mt. Zion Roads. He noted that there still are no lines marking where the intersection begins and ends. He noted there was an accident on January 27th. He understood that no traffic light would be permitted there due to the hill, and noted several other locations on hills where there are traffic lights. He emphatically stated that it is a very dangerous situation and something needed to be done. He encouraged the board to take additional steps with state officials.

HOLMAN Mr. Holman reported that he and Mr. Lauer had met with PennDOT at the site, and a report of that meeting will be included in the next Manager's Report. He stated that the stop bars will be replaced. In addition, the vegetation will be cleaned out in the next several weeks. Additional signage will be added as well. Mr. Holman requested a formal letter from PennDOT in response to his letter of over a month ago. He noted that the township could install a light, but would have to sign off on all of the safety requirements for a traffic light from PennDOT and take full responsibility for any accident there and violate the safety regulations that PennDOT has in place for traffic lights.

SCHENCK Chairman Schenck asked whether a warrant would support a light.

LUCIANI Mr. Luciani responded that there had been a number of traffic studies over the last 15 years. His recollection was that at one point that it had met warrants but that there was a long list of documentation from the department indicating some other sight constraint issues. Both roads in question are state roads.

LANDIS Ms. Landis recalled that when Central school was being built, tractor-trailers were deferred from the use of Mt. Zion Road. She asked whether there was any way that could be put in place on a permanent basis.

LUCIANI Mr. Luciani responded that issue had been one that had been Tony Surtasky's chief complaint. As far as Mr. Luciani was aware, there is only one state road that banned tractor-trailer traffic in Pennsylvania in the Monroe County area. It is a very difficult process, if not nearly impossible, to prohibit tractor-trailers from using certain roads unless there are deficient bridges or deficient paving sections.

SCHENCK Chairman Schenck noted that it was good to hear that there is some activity.

HOLMAN Mr. Holman responded that in his request for a formal response from PennDOT he had asked for documentation as to exactly what will be done including the striping. He noted that the project is still open.

SCHENCK Chairman Schenck asked whether they were waiting for better weather.

HOLMAN Mr. Holman responded that he was correct. In addition to the striping, additional signage will be erected for motorists heading up the hill to advise that there is an intersection ahead. Cutting back on the vegetation will assist in the sight distance, which is an important element to the solution.

SCHENCK Chairman Schenck assured Mr. Stuhre that Mr. Holman will continue to follow up.

4. ENGINEERING REPORTS.

A. Environmental Engineer – Buchart Horn, Inc.

CRABILL Mr. Crabill presented some up-to-date photographs. He noted that he had provided a monthly report and offered to respond to any questions.

SCHENCK Chairman Schenck asked what was shown in the photographs.

CRABILL Mr. Crabill responded that the photographs were of bubble diffusers.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani had several updates to his written report, summarized:

- Meeting held with Windsor/York Township for evaluation of traffic – Mt. Rose, Longstown and Cape Horn Roads and Heritage Hills traffic signal.
- Permit application submitted to PennDOT for Plymouth Road traffic signal.
- Heritage Hills developer and traffic consultant hope to move forward with hotel first.
- Development Agreement addresses moving forward with hotel before water park.
- Property owner signoff will be required by beer distributor and several others.
- PennDOT is attempting to implement a parallel road, as well as removal of other traffic signal.
- Solution to allowing an access road for York Township residents is being sought with some obstacles. Permit can go through but they are searching for a way to get the other light out safely.

RAUSCH Solicitor Rausch asked whether there are plans prepared that take into consideration the light going in at Plymouth.

LUCIANI Mr. Luciani responded that the plans do include the light. He was not certain of the construction schedule but thought it was some time in 2011.

HOLMAN Mr. Holman noted that PennDOT's estimated construction start is 2011. He indicated that the light must be constructed in conformance with the expansion of Mt. Rose/Prospect Road, and Heritage Hills must build the light in accordance with the latest plans. He commented on the expanded road, project 124 from Camp Betty Washington to Chambers Roads. The 24/124 project goes from Chambers about 200 yards beyond the diner and then from Carroll Road down Windsor Road, which contract follows after 24/124 is close to completion.

LUCIANI Mr. Luciani added that where there is sidewalk, the department will replace the sidewalk at their expense. There are a few segments of missing sidewalk, and at the next board meeting a presentation will be made for an understanding of the financial impact of implementing sidewalk in those areas.

HOLMAN Mr. Holman noted that in 2006 the board was interested in seeing sidewalk installed. Within the Development Agreement with Heritage Hills and also with

St. John's church, they donated all of the right-of-way required for sidewalks in the widening of the roads. A write up and cost analysis will be provided so that the board can review those items during the next meeting.

BISHOP Mr. Bishop asked about his comment on the parallel road.

LUCIANI Mr. Luciani recalled that during the meeting at Wisehaven, there was discussion about the 24/124, and a solution was to take out Chambers Road and use a parallel road that travels behind Essis & Son and ends up at Plymouth Road. That would allow the people in the apartments to make a left. PennDOT is attempting to make that happen.

HOLMAN Mr. Holman noted that PennDOT is determining whether or not that should be a part of the project for PennDOT. There are some tradeoffs, and it will be part of the ongoing work on the HOP permit for the Plymouth/Mt. Rose light.

BISHOP Mr. Bishop recalled that the board was generally in favor of doing that if possible.

HOLMAN Mr. Holman responded that he was correct, even though it is not in Springettsbury Township.

LUCIANI Mr. Luciani noted that it is entirely in York Township.

HOLMAN Mr. Holman stated that the board looked favorably on that because it provided an excellent option for bringing motorists out at the light at Plymouth where they could turn left. There are some issues with it and PennDOT is taking a look at that. If PennDOT were to do that, the roads would then be dedicated back to either York Township and/or to Springettsbury Township. That would be in their design/build plans.

LUCIANI Mr. Luciani stated that there may be some condemnation issues that no one is willing to tackle at this time.

HOLMAN Mr. Holman stated that PennDOT is reviewing the options.

SCHENCK Chairman Schenck commented that the Land Development Plan anticipated that as a possibility. He recalled a lot of discussion about whether that piece of their parking lot would then become a road, and the board was in favor.

LUCIANI Mr. Luciani stated that the layout of the signal anticipated a future connection. However, Heritage Hills proposed the connector street if their Traditional Neighborhood Development as well as the other project went through. That did not happen, and there is on-going litigation there so they're not on the same page at Heritage Hills and York Township.

SCHENCK Chairman Schenck stated for clarification that the project is moving forward with the understanding that the township is generally in favor of making that road so people can safely get out and make a left.

LUCIANI Mr. Luciani responded that was the purpose of Tuesday's meeting, to get some cooperation.

HOLMAN Mr. Holman noted that it makes a good transportation corridor.

LANDIS Ms. Landis commented on an item in Mr. Luciani's report, the Becker tract on Druck Valley Road. She asked where the entrance would be if they build.

LUCIANI Mr. Luciani responded that the preference is to line up with the driveway across the street. If it's a single lot they could put their lot wherever they have sight distance. It would not be a street, but if it were, township ordinances limit how far from an intersection and how much offset from the driveway across the street.

5. CONSENT AGENDA

- A. Acknowledge Receipt of December 31, 2009 Treasurer's Report**
- B. Acknowledge Receipt of December 15, 2009 York Area United Fire and Rescue Commission Meeting Minutes.**
- C. Board of Supervisors Regular Meeting Minutes – January 14, 2010.**
- D. Regular Payables as Detailed in the Payable Listing of January 28, 2010.**

DVORYAK Mr. Dvoryak indicated he had an addition to the minutes, item C.

LANDIS Ms. Landis had an addition to item C as well.

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

DVORYAK Mr. Dvoryak stated that during the Benchmark presentation it was noted that there was not a minimum purchase requirement of the township to buy a certain amount of energy. He thought it was important to note that in the minutes inasmuch as some contracts commit to buying a minimum amount of energy. He suggested adding: "This contract does not have a minimum purchase requirement."

LANDIS Ms. Landis commented on the session focused on the Build America Bonds. She had asked Manager Holman if he had reached out for an independent perspective, and he responded that he had contacted Congressman Todd Platts. She thought it was important to note that due diligence had been done with the legislators to be sure that the program was a good one for Springettsbury Township.

MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE JANUARY 14TH MEETING AS AMENDED. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ACCOUNTS PAYABLE

There were no additional accounts payable for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

A. Authorization to Enter into Intergovernmental Cooperation Agreement for the Purchase of Energy Supplies and Utilize Services of Benchmark Energy Solutions, Inc.

SCHENCK Chairman Schenck asked Mr. Holman if there were any changes or updates in the dialogue that the board should know.

HOLMAN Mr. Holman stated that he arranged for a presentation to the Manager's Association this date. Currently the energy purchase program under discussion has 60 members. Hanover Borough and Penn Township just joined. On February 22nd there will be another presentation to several other boards. It was reviewed very favorably by the managers. Springettsbury Township could see an 18% reduction in natural gas prices and will be prepared for Met Ed deregulation in January, 2011. He added that Solicitor Rausch had reviewed the contract.

LANDIS Ms. Landis thanked the board for allowing this to be tabled for further review. She had reached out to other townships that are interested in the program. She echoed Mr. Dvoryak's comment giving kudos to the administration for proactively looking for cost saving ideas for the townships.

DVORYAK Mr. Dvoryak asked how the calculations would be verified given the basis will be tariff rates. He asked how to identify tariff rates.

HOLMAN Mr. Holman responded that Met Ed generated tariff rates versus the discount off the rate that they obtain, and the township will receive reports either quarterly or monthly depending upon how often it is requested.

DVORYAK Mr. Dvoryak commented that the reports would be the townships method of double checking.

HOLMAN Mr. Holman responded that he was correct and that the staff would do the checking. He commented that when deregulation happens, township bills would double with not only a generation bill, but also a transmission bill. That covers the use of the lines that the energy traveled.

MR. BOWMAN MOVED FOR AUTHORIZATION TO ENTER INTO INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE PURCHASE OF ENERGY SUPPLIES AND UTILIZE SERVICES OF BENCHMARK ENERGY SOLUTIONS, INC. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

HOLMAN Mr. Holman added that if the board wanted further information about the meeting on February 22nd, to let him know and he would send out an email.

B. Authorization to Approve Sewage Facilities Planning Module for Property Located at 4350 Old Orchard Road.

SCHENCK Chairman Schenck noted that item B is for a sewage planning module on a property located at 4350 Old Orchard Road. This is a small-flow facility. He understood that Brad Hengst, Sewage Enforcement Officer had reviewed and approved the module.

MR. BISHOP MOVED TO APPROVE SEWAGE FACILITIES PLANNING MODULE FOR PROPERTY LOCATED AT 4350 OLD ORCHARD ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Authorization to Enter into Installation and Maintenance Agreement for a Small Flow Treatment Facility at 4350 Old Orchard Road.

SCHENCK Chairman Schenck noted that item C would go along with the item just approved. Item C covered the maintenance agreement that the township puts in place to make sure the owner knows what they have to do to take care of that system.

MS. LANDIS MOVED TO ACCEPT AUTHORIZATION TO ENTER INTO INSTALLATION AND MAINTENANCE AGREEMENT FOR A SMALL FLOW TREATMENT FACILITY AT 4350 OLD ORCHARD ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Award Contract to Quality Furniture/Global Furniture for the Purchase of Office Furniture for the Wastewater Treatment Facility in a total amount not to exceed \$54,500.

HOLMAN Mr. Holman stated that this purchase was budgeted under state contract. He noted that Mr. Hodgkinson was present to respond to questions. He reported that the present furniture is in excess of 25 years old. The item is in the capital budget.

LANDIS Ms. Landis noted that under the line item, when she investigated it under sewer, she questioned whether it was shown under capital equipment or under materials and supplies.

HODGKINSON Mr. Hodgkinson responded that the item was shown under capital equipment for the BNR project itself where it is budgeted.

LANDIS Ms. Landis stated that when she looked at the budget she saw \$50,000 maximum proposed under capital equipment for 2010.

HODGKINSON Mr. Hodgkinson responded that it was not its own line item. It was grouped into the whole BNR project funding of \$3 million.

HOLMAN Mr. Holman explained that the Bio Nutrient Reserves project includes both this and the actual construction of the plant.

LANDIS Ms. Landis thought that would appear under construction and that it seemed confusing to her. She just wanted to be sure not to deplete the capital equipment line item.

SCHENCK Chairman Schenck added that, as part of the BNR project, they're building on to the office administration building, and new furniture is needed for that building.

HODGKINSON Mr. Hodgkinson stated that when he budgeted the numbers for the \$20 million plus, there was a vision of replacing furniture so that was figured in and not broken out separately in the capital budget with its own line item. It was part of the BNR project.

HOLMAN Mr. Holman noted that it costs less to purchase it through the Costars program than it would be to pay additional costs to a contractor.

BISHOP Mr. Bishop added that it is all a shared expense between Springettsbury and the entire user group.

LANDIS Ms. Landis asked for an explanation of task lights.

HODGKINSON Mr. Hodgkinson responded that task lights are lights underneath the shelves of the hutches.

MR. DVORYAK MOVED TO AUTHORIZE AWARDING THE CONTRACT TO QUALITY FURNITURE/GLOBAL FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE FOR THE WASTEWATER TREATMENT FACILITY IN A TOTAL AMOUNT NOT TO EXCEED \$54,500. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

There were none for action.

9. COMMUNICATION FROM SUPERVISORS

LANDIS Ms. Landis reported that the LGAC was a very quaint meeting with just a few people in attendance. There were only three items for discussion and it lasted about 35 minutes. The next meeting is scheduled for the end of February.

BISHOP Mr. Bishop stated that he thought Mr. Stuhre had a reasonable answer this evening on Mt. Zion and Druck Valley Road. There are things happening. However, he thought the board should figure out a strategy to push for action with PennDOT. He noted that it is a terrible situation, and ultimately there must be something that can be done. The township is in the best position to redouble the efforts there.

SCHENCK Chairman Schenck agreed and echoed his statement. PennDOT obviously is not going to do anything.

BISHOP Mr. Bishop stated that PennDOT might do more if the township pushed. He added that a light may not be the ultimate goal, but that there is a wide range of things between the status quo, what PennDOT will do and what they won't do.

SCHENCK Chairman Schenck asked Mr. Luciani, as a first step, to ascertain how the stretch of 209 prohibited truck traffic. He assumed that had been done through some local pressure.

LUCIANI Mr. Luciani responded that he was correct. He noted that a lot of Mt. Zion Road residents indicated that when there was a temporary restriction on the trucks it made a big difference.

LANDIS Ms. Landis added that she thought it did and she traveled Druck Valley Road daily.

LUCIANI Mr. Luciani noted that he and Mr. Holman had reviewed accident data and trends. Many of the accidents had occurred during the work week during construction.

SCHENCK Chairman Schenck noted that it is difficult to evaluate an intersection just based on accidents. Heading west on Druck Valley Road, it is dangerous to turn left.

LUCIANI Mr. Luciani indicated that there are a limited number of options: 4-way stop signs are not an option; traffic circles or physical barriers are not an option; traffic light is an option. He reminded the board that some pressure had been put upon PennDOT and \$1 million was spent, but he did not think the township achieved the desired result. It did not solve the problem, but PennDOT had made an effort there. Druck Valley Road has more cross traffic than Rocky Ridge. He indicated they could try to meet with PennDOT to explore the options.

SCHENCK Chairman Schenck noted that to Mr. Bishop's point, Mr. Holman reported that the township would have to assume the liability. He questioned whether that would just mean more insurance premiums or have other ramifications. He questioned what that liability would look like. He requested that some options or a strategy could be determined in order to move forward.

HOLMAN Mr. Holman indicated there would be a traffic meeting held soon. He will place the item at the top of the list and put together some options.

BISHOP Mr. Bishop asked about Mr. Luciani's comment on Deininger. He noted that even though the township didn't get the desired result, he asked whether Mr. Luciani thought it was better or just different.

LUCIANI Mr. Luciani responded that the sight distance coming onto Mt. Zion Road is a problem; it was increased by a very small amount. Before the work was done sight distance was about 100 feet and about 200 feet was achieved. The target distance is 350 feet which could not be achieved due to the hump that would have to be removed. The motorist got maybe a second to two seconds more. He had not heard of any major safety complaints since the improvements. Druck Valley Road has more cross traffic than Rocky Ridge.

BISHOP Mr. Bishop noted that the county was interested in that as well.

SCHENCK Chairman Schenck added that the county helped get Deininger issues fixed because of the park.

LUCIANI Mr. Luciani indicated that could help with Druck Valley too. In addition, the township got them pointed in the right direction and now the township has a problem. The county, the MPO funding might help as it might be a safety improvement.

LANDIS Ms. Landis noted that, if a traffic light is placed there, how trucks would be able to stop and get started again.

SCHENCK Chairman Schenck responded that it might get the trucks off and then tackle the light issue.

BOWMAN Mr. Bowman asked whether there had been any progress on the railroad tracks on North Hills Road. He noted that they are getting worse by the day.

HOLMAN Mr. Holman responded that they would do another follow up with Norfolk Southern. He will check with their maintenance division to see if they have it scheduled for the spring.

LUCIANI Mr. Luciani added that there had been discussion about the fact that the warranty is out on that track. A complaint could be filed with the PUC indicating that the crossing is not being maintained.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report.

LANDIS Ms. Landis questioned the item on Hunters Crossing noting the date of six years ago.

RAUSCH Solicitor Rausch responded that the Judge retired. The township approved the final Land Development Plan for Hunters Crossing, and that appeal was filed by the Friends of Camp Security. It just sat and nothing was ever done. He did not think any party had attempted to move it forward. Solicitor Rausch's recollection was that DEP came back to Tim Pasch and said he would have to do a lot of archeological studies which stopped everything.

LANDIS Ms. Landis asked whether there had been any correspondence from Friends of Camp Security to the township.

BISHOP Mr. Bishop noted that there would not be because it went to the Judge, and the Judge never ruled.

RAUSCH Solicitor Rausch added that he did not recall whether briefs had been filed or not. It is in limbo until someday that there is interest in the property or some activity begins. The township is not actively involved in the sense that it would be Tim Pasch that would be defending the township decision to uphold.

HOLMAN Mr. Holman noted that the township decision was based on a court order.

RAUSCH Solicitor Rausch noted that was a brief history, but it is a little anomalous that it just has been sitting there. He offered to remove it from his report.

SCHENCK Chairman Schenck commented that the notation had been the same the whole time, "The Judge will issue a ruling in due course."

11. MANAGER'S REPORT

HOLMAN Mr. Holman reported that he had attended a meeting of the York County Tax Coalition as the board's representative. A request will be sent to the township for a decision on whether or not to change from weighted voting to individual voting and how the township would vote on that. Most municipalities would prefer to see the individual vote of one person, one municipality. Schools have more weight because they collect more so their percentages are higher. The township

represents about 3% to 4% of the vote. The percentages are higher than most. He will provide documentation for the February 11th meeting.

BISHOP Mr. Bishop commented that it would be weighted by taxes collected.

HOLMAN Mr. Holman responded that he was correct. Springettsbury has a higher weight than most municipalities. He will provide the municipal positions for the February 11th meeting.

DVORYAK Mr. Dvoryak asked whether there was any update on the canine issue from back in December.

HOLMAN Mr. Holman responded that there had been a phone conference with the Solicitor, and he has that item on his project list to provide to the board. He had received some additional correspondence from the bargaining units. He will provide additional information to the board within two weeks.

12. ORDINANCES AND RESOLUTIONS

A. Resolutions No. 2010-31 – Liquor License Transfer No. CC-2726 from 35-37 West Philadelphia Street to 3320 East Market Street.

SCHENCK Chairman Schenck stated that an advertised public hearing was held prior to the Board of Supervisors meeting this date and the item was ready for action.

MS. LANDIS MOVED TO ACCEPT RESOLUTION NO. 2010-31 LIQUOR LICENSE TRANSFER NO. CC-2726 FROM 35-37 WEST PHILADELPHIA STREET TO 3320 EAST MARKET STREET. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-32 – DCNR Grant Application for Augustus Schaefer Park Trail.

SCHENCK Chairman Schenck asked whether the grant was to pay for everything.

HOLMAN Mr. Holman responded that it would be to pay just for the walking trail both on the easement that was just purchased as well as for the walking trails. He had provided the conceptual design master plan, and the grant would cover the cost of building. There are requirements for the provision of handicap accessibility access. By doing this work in the Schaefer park, the walking trail will be completed and in addition individuals can go from Davidson drive to Stonewood Park and come out on Lynbrook and then down to Hunter Crossing Park. If the grant is approved it would be a 2011 project. Funding is available in the surplus capital fund for the township's share.

BISHOP Mr. Bishop noted that this would not complete Phase I.

HOLMAN Mr. Holman responded that he was correct. It merely does the walking trail around the park. The rest of that work would be in further phases, but it does help link township parks together. That is the part that DCED likes. It's not handicap accessibility; it's linkage among parks.

SCHENCK Chairman Schenck asked how much money is requested.

HOLMAN Mr. Holman responded it was approximately \$160,000, and the township is applying for \$80,000. He noted that this is a difficult year for grants, but it is good to get this one in place. It is a good grant because of all the work that went in beforehand.

LANDIS Ms. Landis asked for clarification that when applying for grants, she assumed that was what the report is that she had asked him about, and that all of the grants are updated in this documentation.

HOLMAN Mr. Holman responded that all the grants are included in the report. It included grants that had been applied for, grants that had been awarded, grants that the township had begun drawing down with the status of the project, as well as the completion. Mr. Luciani will complete the cost estimate on it, which will be submitted along with the master plan and our documentation and the inter-linking of the parks through a Way Finding System in the hope that it will be attractive to DCED.

MR. BOWMAN MOVED TO APPROVE RESOLUTION 2010-32, DCNR GRANT APPLICATION FOR AUGUSTUS SCHAEFER PARK TRAIL. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-33 – Authorizing Construction of Small Flow Treatment Facility at 4350 Old Orchard Road.

SCHENCK Chairman Schenck noted that item C covers the small flow sewage treatment facility, and the resolution is to be approved to build it.

HODGKINSON Mr. Hodgkinson added that DEP won't look at it until those three things are done.

BISHOP Mr. Bishop asked whether this would revise a master plan with DEP.

LUCIANI Mr. Luciani responded that there is a master plan for public sewer and where septic systems go. This is neither. It is a small flow wastewater treatment plant. The township is amending planning documents. In some rural areas there are septic systems and in non-rural areas there is public sewer.

MS. LANDIS MOVED TO ACCEPT RESOLUTION NO. 2010-33 AUTHORIZING CONSTRUCTION OF SMALL FLOW TREATMENT FACILITY AT 4350 OLD ORCHARD ROAD. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that there had been no communications.

B. Appointment of Voting Delegate to PSATS Annual Convention

SCHENCK Chairman Schenck commented that the item was kept on the agenda in order to name someone at some point.

HOLMAN Mr. Holman stated that in accordance with the Second Class Township Code, the township is required to make the appointment. He noted that he will be in attendance at the PSATS convention because he had been requested, along with Mr. Luciani, to make a presentation on energy usage conservation and planning. Managers are allowed to be voting delegates.

SCHENCK Chairman Schenck requested that when the resolutions are done, Mr. Holman would provide them to the board.

HOLMAN Mr. Holman responded that he would provide all the copies for the board's review.

MR. DVORYAK MOVED TO APPOINT JOHN HOLMAN AS VOTING DELEGATE TO THE PSATS ANNUAL CONVENTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

14. NEW BUSINESS

SCHENCK Chairman Schenck noted the two presentations made prior to the meeting this date. He asked for the board's comments. A lengthy discussion concerning Mobile Cart Service took place which is summarized:

- Toter proposal needs additional work.
- Recycling Committee has done excellent work for years.
- Need understanding of potential pluses and minuses imposed on residents.
- People paying for one bag will need to decide if they want a toter.
- Need for trash hauler to define one bag vs. toter with company.
- Some individuals might need toter for recycling.

An additional lengthy discussion took place concerning RecycleBank Rewards, summarized:

- Sounds like a great program with 3 people dedicated to the township for one quarter.
- Communication is key; need for specific and detailed information about the program.
- Township is not really a party to any agreement.
- Springettsbury is the only municipality in south central Pennsylvania for pilot program.

SCHENCK Chairman Schenck requested Mr. Holman to investigate both situations.

HOLMAN Mr. Holman stated that he knew the managers in Lower Gwynedd and the other towns. He offered to call them to see how the project worked for them, obtain copies of their letters and what the impact was on the front office personnel answering phones, what the benefits were and how the residents initially accepted it. He added he would contact Recycle America and get additional information as well.

BISHOP Mr. Bishop indicated he was curious as to what the agreement would be.

HOLMAN Mr. Holman responded that the agreement would be to allow Republic Waste to bring in the group to help encourage the recycling. The township would not be a party to the contract itself as he understood it.

BISHOP Mr. Bishop noted that at some point there needed to be a confidence level that nothing valuable is being given away for nothing.

HOLMAN Mr. Holman stated that it came in when Republic Waste took over York Waste, and its part of a program they had in other areas. Springettsbury is good fit because it is such a strong recycling community. The Recycling Committee was very helpful in bringing this forward.

BISHOP Mr. Bishop stated he thought it was a great idea but wanted to be sure to do it right and to have all the information necessary.

LANDIS Ms. Landis indicated that if it didn't work, the program could be stopped with no commitment.

HOLMAN Mr. Holman noted that it could be used as a pilot program for the next 2 years to see how the program worked and whether it would be something to build in the next trash contract. The Recycling Committee is reviewing different ideas for the net contract. The only item that is not included in the recycling is brush.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 28, 2010
APPROVED**

SCHENCK Chairman Schenck asked whether Mr. Holman had a clear direction for both items.

HOLMAN Mr. Holman responded that he knew what research to do.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 8:25 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
WORK SESSION - RECYCLING COMMITTEE**

**JANUARY 28, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Work Session on Thursday, January 28, 2010 at 6:15 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop
Mike Bowman
Julie Landis

MEMBERS NOT

IN ATTENDANCE: George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Township Manager
John Luciani
Ron DiAngelo, Recycling Committee
Mark Pergolese, York Waste
Valerie Cloutier, Recycle Bank
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the meeting to order. He welcomed the attendees to the Work Session. The purpose was for a presentation by York Waste as well as a presentation by Valerie Cloutier and Ron DiAngelo of the Recycling Committee to discuss a rewards program.

PERGOLESE Mr. Pergolese, General Manager of York Waste, introduced Valerie Cloutier from Recycle Bank. York Waste has partnered with Recycle Bank to bring in an innovative rewards-based program to Springettsbury Township. Mr. Pergolese indicated that Ms. Cloutier would provide details of the program and discuss the benefits. He noted that the first benefit is that it will increase the recycling participation, such as increased weight and what that translates to in future grants for which the township would be eligible. A benefit would reduce the disposal expense and help minimize the disposal increases of costs at the incinerator, should rates increase. An addition is that it will actually put cash back into the pockets of the participating residents and help to stimulate the local economy.

CLOUTIER Ms. Cloutier thanked the Board for the opportunity to present the Recycle Bank program. She reported that Recycle Bank began four years ago with an idea to reward people for being green. She hoped to shed a positive light on the economy with the rewards program. They partner with municipalities and homes to increase and improve the recycling program. A summary of her PowerPoint presentation and its impacts to Springettsbury Township follows:

- Save and earn money by increasing recycling and earning more grant money
- Decrease disposal fees; extend landfill life; maintain or cut township costs

- Drive the local economy – residents earn over \$200 worth of rewards annually
- Building Community – government, citizens, corporations and local businesses work together.
- Recycle Bank Service Area – Growing and serving many large cities as well as small towns.
- Average increase in recycling is approximately 70%.
- Began with single stream model; too expensive; technology on the trucks very expensive. Now work with hand dump model, recycling bucket, retrofitted with ID chip identifying the participating household
- Load divided by participating residents – community based weight.
- Average earnings about \$240 a year.

SCHENCK Chairman Schenck asked how the recycling is tracked.

CLOUTIER Ms. Cloutier responded that there are several different reporting capabilities. The reports will be shared with the township on a quarterly basis. Information can be provided as to what parts of the township are not recycling.

SCHENCK Chairman Schenck commented that a family that puts recycling out every week will get the maximum amount of points versus one that puts out every other week.

CLOUTIER Ms. Cloutier responded that he was correct, and that was the reason why the participation increases from 45% to 80%. There is some increase in the weight as well. They review redemption of rewards, increase in weights and participation. The resident can easily access the website to activate an account or cash in rewards. She continued her presentation, summarized:

- Explanation of the website; can participate in the green schools program
- Opportunity for schools to get money for environmental projects
- Partners with Coca Cola which donates to the program
- Recycle Bank has committed to donating \$1 million to that program in the next five years. Transaction history to track rewards; on-line redemption of rewards
- Partnered with local and national reward partners
- Points earned can be donated (by check) to charities if desired
- Springettsbury Township recycles slightly over 400 pounds per household per year; 8 lbs. per week. Based on their experience it will increase to about 12 pounds per week
- Reporting tools: Audits of Waste Stream; Materials: paper, glass, plastics and metal cans, 50% of the waste stream. 415/yr lbs. per household in Springettsbury to 8 lbs./week goal of 624 using community based model. No impact on collection times.
- Recycle Bank assists with community outreach, education, green school program, rewards partner improvement, etc. There is a full rollout of 90 days where Springettsbury will be assigned an account manager, project manager, a PR person, marketing person and a rewards person. They will be working on conference calls as to how to make the program successful.

- Springettsbury currently has 7,355 households with total annual trash equaling 8,564 tons. Recycling tons equal 1,528. Diversion rate from the landfill will save on tipping fee and control cost.
- Economic side will reward residents for recycling by the pound.
- Money for the township by reduction of disposal fees and receipt of the grant monies. A calculation estimated an extra \$53,000 a year to the township based on the 4 pound limit.
- Driving the local economy; \$300,000 in savings a year with 25% of the residents participating.
- Everyone wins – residents, township, senior citizens, schools and the environment.

SCHENCK Chairman Schenck asked what marketing would include. He questioned how a resident would become involved and, in addition, what the township would be expected to do to participate.

CLOUTIER Ms. Cloutier responded that a letter will come from the township to the resident, which is an expense for the township. Recycle Bank will assist in the creation of the letter. Secondly, Recycle Bank will send out an activation flyer that explains the program that tells them that they need to put their recycle bin out on a certain day to have it retrofitted. A marketing piece should be sent out to the residents four times a year about the program. During the first 90 days Recycle Bank will be involved with the township with the public relations including getting the press involved.

SCHENCK Chairman Schenck asked how the labels would be applied to the existing totes.

PERGOLESE Mr. Pergolese responded that they would have a crew that will follow the collection vehicle with the ID sticker and put it on the existing bin.

CLOUTIER Ms. Cloutier mentioned that normally there will be some residents who won't participate. They will do two or three passes and usually get 85% participation. Following that, the stickers can be kept at the municipal building where residents can attain them or they can be mailed.

LANDIS Ms. Landis asked how long the pilot program would go on in Springettsbury Township.

PERGOLESE Mr. Pergolese indicated they would offer to do it for the remaining term of the contract; another three years.

HOLMAN Mr. Holman noted that would be until the end of 2012.

LANDIS Ms. Landis noted that the modification to the fleet would cost approximately \$35,000. She asked if the cost would be passed to the residents.

- PERGOLESE** Mr. Pergolese responded that the cost would not be passed on to the residents. It's a one-time charge that York Waste will absorb.
- CLOUTIER** Ms. Cloutier added that it would not be an individual model as it would be less expensive.
- LANDIS** Ms. Landis noted that they are hopeful to get to the other model eventually.
- DIANGELO** Mr. DiAngelo noted that if the program works it would be simple to operate.
- BISHOP** Mr. Bishop commented that Ms. Cloutier was not proposing the community-based weight model.
- CLOUTIER** Ms. Cloutier responded that he was correct. She was not proposing that at all.
- BISHOP** Mr. Bishop asked whether any municipality had done that, i.e., go from a community-based weight to another.
- CLOUTIER** Ms. Cloutier responded that she did not know of any.
- LANDIS** Ms. Landis asked whether there were any contract fees for the township to engage in the program.
- PERGOLESE** Mr. Pergolese responded that there were no fees.
- LANDIS** Ms. Landis asked whether there were any programs in place in municipalities in south central Pennsylvania.
- CLOUTIER** Ms. Cloutier indicated that Springettsbury Township would be the first.
- SCHENCK** Chairman Schenck announced that there was about three minutes remaining to conclude the Work Session. He asked Mr. Pergolese if he could present his portion in that time.
- PERGOLESE** Mr. Pergolese had created a PowerPoint presentation with handouts provided to the board. He reported that the township contract currently has a provision in it that allows residents to get a 96-gallon cart for an additional quarterly fee of \$7.50. What they propose is to deliver a cart to all the residents that are currently on the three-bag service that don't have a cart at any charge. The residents that do have a cart and that are paying the additional \$7.50 per quarter, that fee would be eliminated. The reasons that they are proposing to do that are:
- It's safer and more efficient; esthetically more pleasing to the community.
 - The operation can be done with one employee.
 - No lifting with work-related injuries with cost avoidance for Workers Comp. Safer for motorists in the community with elimination of empty garbage cans in the street.
 - Animals aren't able to get into cans or tear open bags.

- It is all containerized into this one sturdy cart.

PERGOLESE Mr. Pergolese noted that they propose to deliver to everyone. If anyone does not want the container, all they have to do is call, and it will be picked up.

SCHENCK Chairman Schenck noted that they are proposing only for the people with the three-bag option.

PERGOLESE Mr. Pergolese indicated that he was correct because the low volume generators don't need that. They'll continue to put out one bag or whatever they have.

SCHENCK Chairman Schenck asked if they wanted a cart, would that be a problem.

PERGOLESE Mr. Pergolese responded that if a resident wanted one, they would provide it even if they were on the low-end service.

SCHENCK Chairman Schenck asked if someone got a cart and put out a little bag, the drivers would pick up the trash.

PERGOLESE Mr. Pergolese responded that he was correct. They will pick up the trash.

PERGOLESE Mr. Pergolese noted that, as far as a timeline, if the Board was to take action they would immediately start with an informational piece mailed out to the residents also in conjunction with the newsletter. There are about 4200 residents that currently do not have a cart. They would be able to deliver those by the first week of April, and would want to do that because of the quarterly billing cycle.

DIANGELO Mr. DiAngelo noted that this would also eliminate the people that put out five and six bags. If the resident can't get them in the cart, then they will have to pay for them.

PERGOLESE Mr. Pergolese added that it will help to control the bag limit that is written into the contract. They will pick up the cart, which accommodates the three bags, which is what the contract allows for. The resident is able to purchase extra service tags, and that's the only thing that they would take that's outside the cart.

BOWMAN Mr. Bowman noted that the program would be geared to be one-man operation on the truck. He asked how that would change for the people who don't have the carts but just put out the bags.

PERGOLESE Mr. Pergolese noted that they had done this in several other communities, such as Dover Township, York Township and 85% to 90% of those communities have the cart. For that 10% of the residents that don't want the cart it is not a burden to the drivers.

SCHENCK Chairman Schenck asked Mr. DiAngelo of the Recycling Committee whether they recommend the program.

DIANGELO Mr. DiAngelo responded that when they first were made aware of the program in July of 2008, they said they would like to have it. There were some gray areas in the contract that had to be reviewed.

SCHENCK Chairman Schenck asked Solicitor Rausch whether there were any concerns or issues as far as modifying the contract.

RAUSCH Solicitor Rausch responded that he had reviewed the program in Dover Township. He represented York Waste Disposal on occasion. For Penn Waste or any other contractor, he did not see any impact because there is no cost to the township on this. He added he did not see any violation of the contract.

SCHENCK Chairman Schenck thanked Mr. Pergolese, Ms. Cloutier and Mr. DiAngelo for all their work. He noted that he and Mrs. Schenck had toured the recycling facility, which increased their rate of recycling by about three times. He would like to have the residents to see the facility.

LANDIS Ms. Landis asked Ms. Cloutier whether the report that she had mentioned was one in which only the township could access to see who is recycling.

CLOUTIER Ms. Cloutier responded that it was a report that they access and will supply quarterly. The report would be one that only the municipality could access; no residents.

2. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – LIQUOR LICENSE**

**JANUARY 28, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Public Hearing on Thursday, January 28, 2010 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Dennis Crabill, Environmental Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Chairman Schenck called the Public Hearing to order at 6:50 p.m. He stated that the purpose of the Public Hearing was to review a request to transfer a liquor license from York City to Springettsbury Township. This is a process that the Liquor Control Board put in place; public hearing is a requirement as part of that process.

RAUSCH Solicitor Rausch indicated that the board would discuss any issues or adverse impacts resulting from the liquor license being transferred to the township.

2. NEW BUSINESS

LUTZ Attorney Paul Lutz represented the Fraternal Order of Eagles, York Aerie #183, which had made the application to transfer their Catering Club license from their present location at 35-37 West Philadelphia Street to 3320 East Market Street in Springettsbury Township. He provided some background information regarding the Fraternal Order of the Eagles, which is an international, non-profit, 501 © 3 charter organization that, in compliance with their mission statement, unites fraternally in the spirit of liberty, truth, justice and equality to make human life more desirable by lessening its ills and by promoting peace, prosperity, gladness and hope. The local chapter of the York Aerie was established in the City of York in 1901 and had occupied its current building since 1907. Over the years it

had donated thousands of dollars from various proceeds to charities to the city and county. They own their Catering Club license, and the application is to transfer that into Springettsbury.

SCHENCK Chairman Schenck noted that the Club Catering license is unique from what the board normally addresses.

LUTZ Attorney Lutz noted that the club license criteria states that the club is open only to members of the Eagles and their permitted guests.

SCHENCK Chairman Schenck asked whether there was a liquor license attached to the property, which would become available.

LUTZ Attorney Lutz responded that there is a restaurant liquor license at Marcello's which will leave the premises.

SCHENCK Chairman Schenck noted that it would stay within the township.

LUTZ Attorney Lutz assumed that it would be relocated or sold or put into safe keeping for some other time.

BOWMAN Mr. Bowman asked if the membership was limited by the charter.

LUTZ Attorney Lutz responded that there is no limit. There are 235 active members and a total of 255 members. The others are considered social members. He was not aware of any limit. He asked John Domer, a Trustee of the Eagles for clarification.

DOMER Mr. Domer responded that there was no limit. He added that they are looking forward to moving to a new location.

3. PUBLIC COMMENT

SCHENCK Chairman Schenck stated that it was a Public Hearing held for the application process. Many questions had been asked and answered. The purpose was to take input from the public. He opened the floor to the residents.

STUHRE Charles Stuhre, 3680 Trout Run Road, stated that his only concern was an observation of at least a dozen liquor licenses within a mile of the location. He wondered whether it would increase what was permitted by state law within a municipality. He added the additional problems on the highways, increase in volume of potential accidents and problems with rowdiness within the township.

**SPRINGETTSBURY TOWNSHIP
PUBLIC HEARING – LIQUOR LICENSE**

**JANUARY 28, 2010
APPROVED**

SCHENCK Chairman Schenck responded that he did not think there were restrictions within the geographic boundary of the township. He added that there are a specific number of licenses permitted per township.

STUHRE Mr. Stuhre asked whether that was based on population.

SCHENCK Chairman Schenck responded that he was correct. Several years ago the Liquor Control Board provided a formula that stated that, upon agreement, licenses could be moved from one municipality to another. That was the purpose of the Public Hearing, to gather information and agreement with the license.

LANDIS Ms. Landis asked how many liquor licenses are located within Springettsbury Township.

HOLMAN Mr. Holman responded that he would have to check his records.

LUTZ Attorney Lutz clarified that this application was not for a restaurant liquor license that would be open to the general public. Rather it is for a private Club Catering license, which does not cater to the general public, but only to the private membership and their guests.

SCHENCK Chairman Schenck called for any other specific questions. There was no further testimony.

LUTZ Attorney Lutz thanked the board for their time.

4. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 6:59 p.m.

Respectfully submitted,

John Holman

Secretary

ja

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 14, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Regular Meeting on Thursday, January 14, 2010 at 7:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

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

ALSO IN

ATTENDANCE: John Holman, Township Manager
Charles Rausch, Solicitor
Jim Baugh, Community Development Director
Mike Schober, Environmental Engineer
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Mark Hodgkinson, Director of Wastewater Treatment Plant
Bob McCoy, Chief, York Area United Fire and Rescue
Jean Abreght, Stenographer

1. CALL TO ORDER

A. Opening Ceremony

SCHENCK Chairman Schenck called the meeting to order at 7:00 p.m. He thanked everyone for coming. He led the Pledge of Allegiance.

2. ANNOUNCEMENT OF EXECUTIVE SESSIONS

SCHENCK Chairman Schenck announced that no Executive Sessions had been held since the last meeting, and none were scheduled for this date.

3. COMMUNICATION FROM CITIZENS

There were no citizen comments.

4. ENGINEERING REPORTS

A. Environmental Engineer – Buchart Horn, Inc.

SCHOBBER Mr. Schober thanked the board for re-appointing Buchart-Horn as the Environmental Engineer for 2010. He noted that Mr. Crabill had submitted a written report. He provided a photographic update of the BNR project. He stated

that a request was received from DEP for additional planning information for the Meadowlands project, which Buchart-Horn will provide. He gave Mr. Holman the permit application for the railroad crossing.

HOLMAN Mr. Holman stated that the township is coordinating with the gas company and the water utility as they both requested a discussion of the pipeline crossing and they are reviewing upgrades. Mr. Crabill is working on that project.

SCHENCK Chairman Schenck thanked Buchart-Horn for working out the details. There had been no impact on the Stonewood Road facility.

SCHOBBER Mr. Schober indicated he would pass that along to Mr. Crabill.

B. Civil Engineer – First Capital Engineering, Inc.

LUCIANI Mr. Luciani noted that he had submitted a written report. He provided three updates to his report, summarized:

- Harley-Davidson project continues to advance quickly. YCEDC will purchase a portion of Harley site for a Relocate to the East project. He will continue to work jointly with both.
- Bids received for Market/Mt. Zion project; total bid package approximately \$2.55 million. Mr. Holman has been communicating with PennDOT; no schedule set to date but potential start date in March with completion by the end of summer.
- Concord Road hotel project activity will begin soon; working out environmental issues.

LANDIS Ms. Landis requested that the cost breakdown spreadsheet provided to the board be printed in a larger font for ease of review.

LUCIANI Mr. Luciani responded that he would be glad to make it easier to read.

LANDIS Ms. Landis asked about the issue relating to 22 South Keesey Street with Mr. Bancroft.

LUCIANI Mr. Luciani responded that Mr. Bancroft's first concern was speeding and volume of traffic. They had visited the site and had done a study nine years ago to evaluate the neighborhood and speeds. Speed counts were available from 2004 and the police department also monitored count and speed, which was 27 miles an hour; the 85th percentile. Mr. Bancroft's initial request was to put four-way stop signs on Eastern Boulevard and South Keesey Street. In addition, he requested speed humps. There were speed humps on the adjoining street, but the neighbors had requested they be removed. There will be continuing monitoring but speed humps will have to be endorsed by the other neighbors.

**SPRINGETTSBURY TOWNSHIP
REGULAR MEETING**

**JANUARY 14, 2010
APPROVED**

- LANDIS** Ms. Landis asked whether there had been further dialogue with the concerned group.
- LUCIANI** Mr. Luciani stated that Mr. Holman communicated with them. Mr. Bancroft was the spokesman for the group of petitioners. A letter from Mr. Holman stated that the township would continue the monitoring process. There is a monthly meeting for discussion of these issues with township staff, the police and fire departments.
- HOLMAN** Mr. Holman added that there will be a yearly re-evaluation done to determine speeds and accidents. There was nothing on the regular documentation to show that there should be any changes made to the intersection.
- LANDIS** Ms. Landis asked Mr. Luciani to be specific in identification of street names in his reports.
- LUCIANI** Mr. Luciani responded that he could easily do so.
- SCHENCK** Chairman Schenck asked for an update on the York Container sidewalk.
- LUCIANI** Mr. Luciani responded that he had discussed the matter with them in mid-summer of 2009, and they were getting ready to put them in; they're not done to date.
- HOLMAN** Mr. Holman stated that York Container is on the list of Development Agreements that are reviewed every quarter to make sure things are completed as planned. Letters had been sent to York Container with regard to the sidewalks. They need to obtain their HOP permit.
- LUCIANI** Mr. Luciani indicated he would provide an update at the next meeting.
- HOLMAN** Mr. Holman asked about the louvers at North Hills Road.
- LUCIANI** Mr. Luciani responded that he had discussed the issues with Jeff Wolf. The signal contractor was reluctant to move the louvers, even though that was the original design as part of the HOP. This now has to be turned over to Enforcement. The HOP is not closed out, but the signal permit is closed.
- BISHOP** Mr. Bishop asked what their plan might be.
- LUCIANI** Mr. Luciani responded that a field meeting was held with PennDOT, which revealed that the motorist could only see the signal until they are right underneath it. The thought is that the louvers were supposed to be visible much further away. By taking the veins and lifting them up, the approaching motorist could see the traffic signal, which he did not think would be an expensive adjustment.
- BISHOP** Mr. Bishop asked whether he had referred only to the left turn light when traveling south. Mr. Bishop thought all of the southbound lights were a problem.

LUCIANI Mr. Luciani responded that also the green and red balls are not visible until the motorist goes through light #1 and pulls up underneath. Only then can the red or green ball be seen. The louvers need to be adjusted to see it further back near the stop bar, which is what the study revealed. The contractor can't just go back on site for liability reasons and make changes. It may take some time to get the adjustments made.

5. CONSENT AGENDA

- A. Acknowledge Receipt of November 30, 2009 Treasurer's Report.**
- B. Acknowledge Receipt of November 27, 2009 York Area United Fire and Rescue Commission Meeting Minutes.**
- C. Board of Supervisors Work Session Minutes – November 11, 2009.**
- D. Board of Supervisors Regular Meeting Minutes – December 10, 2009.**
- E. Board of Supervisors Reorganization Meeting Minutes – January 4, 2010.**
- F. Conewago Enterprises, Inc. – BNR Improvements Project (General)-Request for Payment No. 8 in an amount not to exceed \$1,818,484.58.**
- G. Frey Lutz Corporation – BNR Improvements Project (Mechanical) – Request for Payment No. 6 in an amount not to exceed \$3,249.**
- H. Gettle Incorporated – BNR Improvements Project (Electrical) – Request for Payment No. 7 in an amount not to exceed \$101,273.51.**
- I. Regular Payables as Detailed in the Payable Listing of January 14, 2010.**
- J. SD-08-03 – Time Extension – Pam Long – Plan Expires 2/25/10 (New Plan Date 5/25/10).**
- K. SD-07-06 – Time Extension – Triplet Springs – Plan Expires 1/26/10 (New Plan Date 4/26/10).**
- L. SD-07-09 – Time Extension – Waltersdorff – Plan Expires 2/26/10 (New Plan Date 5/26/10).**

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

6. PRESENTATION

- A. South Central Assembly – Presentation on Energy Program Through Intergovernmental Cooperation Agreement**

- **Sherri Zimmerman, Executive Director, South Central Assembly**
- **Jamie Rubb, Vice President, Benchmark Energy Solutions, Inc.**

HOLMAN Mr. Holman stated that the South Central Assembly would provide a presentation on the program. He introduced Sherri Zimmerman and Jamie Rubb.

ZIMMERMAN Ms. Zimmerman stated that she is the Executive Director for the South Central Assembly, which is a non-profit organization that operates in the eight-county

Central Pennsylvania region. It represents Adams, Cumberland, Dauphin, Franklin, Lebanon, Lancaster, Perry and York Counties. Their focus is improving governments and public service in the area through collaboration and information sharing. They have been active for 10 years and have a number of prominent York County individuals on the board. In February of 2008 they held an Intergovernmental Cooperation Summit and one of the initiatives that came from that was the issue of energy and they put together a task force and came up with an energy consortium. They shopped around for energy consultants and found what they believe is the best. They endorsed Benchmark Energy Consultants and have worked with them over the past year to build what is in place today. She asked Jamie Rubb to discuss what the program offers.

RUBB

Jamie Rubb stated that he had provided some presentation pieces for the board which provided in-depth information concerning the program. The program started 10 years ago by Bill Welch, President, who was an investment banker by trade. While doing some work in the Tennessee Valley Authority, he came across the program in the state that was deregulated in natural gas and determined to bring this back to Pennsylvania for municipalities. Several large municipalities joined and were able to provide the service as a certified energy management firm.

A lengthy discussion took place concerning the service, summarized:

- Process begins by Springettsbury Township signing release forms. They in turn go to Met Ed and other utilities to receive three years of history and do a full reverse audit. They have been able to secure some refunds as a result.
- Benchmark will continually audit Springettsbury utility bills and streamline the processing.
- Savings results have been in the neighborhood of between 13% and 30% for the municipalities they serve.
- Their fees are based on the savings on a 70/30 split.
- Quarterly evaluations are done based on tariffs.
- Internally Springettsbury will save 2-1/2 to 3 hours in man-hours per month.
- This contract does not have a minimum purchase requirement.
- Initial contract was through City of Harrisburg; others piggyback on the existing agreements.
- Rolling shutdowns in peak demand times can provide for significant rebates; no downside to the agreement.
- Benchmark has grown by 350% in two years.

SCHENCK Chairman Schenck noted that there is an Agenda item for action.

7. BIDS, PROPOSALS, CONTRACTS AND AGREEMENTS

- A. Authorization to Enter into Cost Sharing Agreement with PennDOT for Adjustments to the Sanitary Sewer System on East Market Street at a cost not to exceed \$10,200.**

HOLMAN Mr. Holman explained that the item covered the East Market Street widening project between Locust Grove and the intersection of Market and Mt. Zion/Route 24/462.

DVORYAK Mr. Dvoryak noted that PennDOT provided a total estimated cost of the work as \$20,400. He asked whether there had been an independent estimate as well.

LUCIANI Mr. Luciani responded that PennDOT has an electronic construction management system, which provides bids on every project from Philadelphia to Central Pennsylvania. It is good estimating software with a good track record.

MR. DVORYAK MOVED TO AUTHORIZE TO ENTER INTO COST SHARING AGREEMENT WITH PENNDOT FOR ADJUSTMENTS TO THE SEWER SYSTEM ON EAST MARKET STREET AT A COST NOT TO EXCEED \$10,200. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Authorization to Enter into Intergovernmental Cooperation Agreement for the Purchase of Energy Supplies and Utilize Services of Benchmark Energy Solutions, Inc.

SCHENCK Chairman Schenck introduced item B for the board's consideration on the services of Benchmark Energy Solutions based on the earlier presentation. He asked Mr. Holman when he would expect the effect of their work to begin.

HOLMAN Mr. Holman responded that an impact in savings could be seen within the next three or four months. He explained that the township staff will compile the previous three years of bills, and Benchmark will gather information from Met Ed. The staff's biggest project will be to take each bill and place them into the appropriate fund categories.

An additional lengthy discussion took place which is summarized below:

- Fixed Fees charged on very small facility bills. Most of the township bills are extremely large, for which there is no charge and produce savings.
- Fee Schedule – Sponsorship and Management – Contribution is 2.5%, Rate Classes, 5%, Liquid Fuels, 4.0% but Performance Fees/Cost Savings are 30.00%.
- Expected savings to achieve – 18% on the bills.
- Portion of the savings is the time of labor for staff of processing invoices.
- Payments – 95% of the payments come from the savings. Benchmark works on cost savings.
- Township is paying the full tariff amounts at this time.
- Benchmark audit will identify savings.
- Information gleaned from Penn Township, City of York, Dover, Manchester and various other joiners to the SEA.

- Invoices will not come to the township but automatically be sent to Benchmark. Summary will be provided to the township. Annually bills will be provided for financial audits of township.
- Major energy issue is maintaining control when Met Ed rate controls are lifted and the new sewer plant comes on board.

BISHOP Mr. Bishop asked what the actual motion would be.

HOLMAN Mr. Holman responded that it would be to authorize entering into the Intergovernmental Agreement and entering into an agreement with Benchmark Energy solutions, Inc.

BISHOP Mr. Bishop noted that it was two separate agreements.

HOLMAN Mr. Holman responded that they come in one package, but there are two separate agreements. He explained that the motion would be to enter into the South Central Assembly Intergovernmental Agreement and authorizing Benchmark to do the work.

LANDIS Ms. Landis asked whether it was typical, when the board is presented with such a program, to vote on it the same night. She commented that there might not have been enough time for review or additional questions, and that the subject could be tabled until the following board meeting for action.

SCHENCK Chairman Schenck responded that it happened on a 50/50 basis.

BISHOP Mr. Bishop added that there is no typical scenario and it was situation dependent. There are situations where the board would decide to delay action until the next meeting. On other occasions, if it something that has been in progress and the board members are aware or had knowledge of it, then action would be taken.

LANDIS Ms. Landis commented that she would be more comfortable tabling the item and putting it on for action for the following meeting. She noted that she would like to do additional research.

SCHENCK Chairman Schenck asked whether there was any timeline that would be affected.

HOLMAN Mr. Holman responded that he could do nothing further until the matter was approved.

Consensus of the board was tabling the item until the next meeting.

C. Authorization to Extend Existing Contract with URS Corporation for Professional Planning Services in an amount not to exceed \$10,000.

SCHENCK Chairman Schenck noted that URS provided the consulting work done on the Town Center project.

HOLMAN Mr. Holman reported that a presentation will be made at the next meeting with regard to the Town Center with a request for authorization and consideration for approval. Item C requests authorization to extend the existing contract for the township to complete the work and revisions to ordinances with regard to energy dealing with windmills and solar panels. With that work finished it will complete the project identified during the Town Center Gateway Project. The work was approved in the 2010 budget.

LANDIS Ms. Landis asked whether URS was the firm that drafted the Comprehensive Plan and the ordinances.

HOLMAN Mr. Holman responded that it is.

RAUSCH Solicitor Rausch clarified that it is the same individual who was involved.

HOLMAN Mr. Holman added that the same individual, Marian Hull, had been with Kise, Straw, and Kolodner and went to URS. The township remained with her as that continued.

BISHOP Mr. Bishop added that it was the same firm that had been doing the continuation of the last project.

MR. BISHOP MOVED TO AUTHORIZE EXTENDING THE EXISTING CONTRACT WITH URS CORPORATION FOR PLANNING SERVICES IN AN AMOUNT NOT TO EXCEED \$10,000. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Authorization to Execute Revised Ambulance Staffing Support Agreement with Memorial Hospital for the period January 1, 2010 through December 31, 2011.

SCHENCK Chairman Schenck noted that item D covered an agreement to utilize employees from Memorial Hospital as part-time employees for ambulance service.

HOLMAN Mr. Holman added that there had been a slight reduction in the rate from the previous agreement.

SCHENCK Chairman Schenck noted that it had proven to be a real cost savings for the township.

MR. BISHOP MOVED TO AUTHORIZE EXECUTING THE REVISED AMBULANCE STAFFING SUPPORT AGREEMENT WITH MEMORIAL HOSPITAL. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Authorization to Renew Marketing Services Agreement with Cumulus Media for Promotion of the 2010 Summer Concert Series and Saturday in the Park Event.

SCHENCK Chairman Schenck noted that item E covered the agreement for media promotion of the Summer Concert Series. He asked whether the rate remained the same.

HOLMAN Mr. Holman responded that there had been no changes. The item covered a renewal of the agreement that was awarded in 2009 for one year with options to renew for two additional years. This year, 2010 will be the first option to renew, and Cumulus Radio will pay the township \$4500 per year, as well as help to promote the Summer Concert Series, Saturday in the Park and the Holiday Tree Lighting. He added that it had been a very positive partnership.

SCHENCK Chairman Schenck commented that this is income to the township.

MR. DVORYAK MOVED TO AUTHORIZE TO RENEW THE MARKETING SERVICES AGREEMENT WITH CUMULUS MEDIA FOR PROMOTION OF THE 2010 SUMMER CONCERT SERIES AND SATURDAY IN THE PARK EVENT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

8. SUBDIVISIONS AND LAND DEVELOPMENT

A. LD-09-02 – Capital Self Storage – 3/15/10 (Action)

BAUGH Mr. Baugh provided background information as documented in the January 14, 2009 briefing memorandum. He noted that the plan proposed an expansion of the Capital Self Storage that currently houses 30,300 square feet of indoor storage allowing for 472 storage units. The expansion will consist of five separate buildings each containing multiple outdoor entry self storage units that total 38,781 additional square feet. The applicant received a variance to exceed the lot size of 2-12 acres for a mini-storage facility. He provided a PowerPoint presentation of an aerial view of the property, zoning (Commercial Highway), site plan, layout and elevations, grading, drainage and landscape plans. The Planning Commission had granted several waivers and conditions at the November 19th meeting, documented in the briefing memorandum. Mr. Baugh explained for Ms. Landis' benefit that the items referred to as administrative typically are not completed until after the plan is approved for various reasons. He added that this was a very clean plan with only one design related item.

LUCIANI Mr. Luciani identified the landscaping challenge, since the building was built so close to the street back in the 1950's. The primary interest of the customer was trying to get landscaping, parking and travel lane that would fit with the curb line.

BAUGH Mr. Baugh commented that what they did with the building was appreciated knowing what it looked like before.

- SCHENCK** Chairman Schenck asked whether there had been any discussions about the turning lane on Northern Way.
- LUCIANI** Mr. Luciani responded that they have only about a foot of frontage on Northern Way. The property in question is owned by Hanger Holdings. He added that there had been no opportunity to ask for frontage, and they could not volunteer it.
- SCHENCK** Chairman Schenck asked whether there would be enough land to provide a turning lane with the stream, etc.
- LUCIANI** Mr. Luciani responded that the amount of right of way that we would have to take would all have to come from Hanger Holdings. If an opportunity comes along during the Northern Way project, the right of way would come from Hanger Holdings. He noted that there is approximately 1000 feet of frontage on Northern Way.
- BISHOP** Mr. Bishop stated that there was a long triangle there. He asked whether that was a separate parcel from the area of the building.
- BAUGH** Mr. Baugh responded that it was the same parcel with the building and the triangular area.
- BISHOP** Mr. Bishop indicated he was curious about the zoning variance and whether that was done since Mr. Baugh was on board with the township.
- BAUGH** Mr. Baugh responded that it had been done prior to his arrival.
- LUCIANI** Mr. Luciani provided some background on the property. The zoning ordinance prohibits storage units on property in excess of 2-1/2 acres. The Coke parcel was built back in the 1940's or 1950's and was a default 5-1/2 acre parcel. Capital came in and received a variance from the Zoning Hearing Board to put storage units on a parcel that exceeded 2-1/2 acres even though the lot size exceeded the acreage.
- BAUGH** Mr. Baugh stated that the variance was given in 2007.
- BISHOP** Mr. Bishop wondered what the reasoning was in not permitting storage on a lot bigger than 2-1/2 acres.
- LUCIANI** Mr. Luciani responded that 20 acres of storage would not be desirable.
- BAUGH** Mr. Baugh added that it would not be the most productive use of the property.
- HOLMAN** Mr. Holman added that one of the strongest reasons is to promote commercial use, which has more job opportunities than storage, which has minimal job opportunity.

LUCIANI Mr. Luciani stated for Ms. Landis' benefit that the access to the site is right-in, right-out. Other corporations looked at this site but could not get adequate access. Storage is a very low volume use and that's possibly how that ended up here.

SCHENCK Chairman Schenck added that he had heard from other developers casually and all had the same comment. They couldn't get the access they needed so the site didn't work.

MR. BISHOP MOVED WITH REFERENCE TO LAND DEVELOPMENT Id-09-02 CAPITAL SELF STORAGE TO APPROVE THE PRELIMINARY FINAL PLAN WITH THE SEVEN WAIVERS AS INDICATED ON THE JANUARY 14TH MEMO; AND FURTHER MOVE WITH RESPECT TO THE SAME LAND DEVELOPMENT PLAN TO APPROVE THE PLAN WITH THE 11 CONDITIONS LISTED IN THE SAME MEMO. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

9. COMMUNICATION FROM SUPERVISORS

SCHENCK Chairman Schenck noted in the packet was a brochure from the Farm and Natural Lands Trust about an educational series they are providing. He noted that they seem to be serious presentations concerning agricultural zoning and open space investment. He wondered whether it was something new.

HOLMAN Mr. Holman responded that it had been around for awhile. He had attended one three years ago mainly for education about the agricultural board. He added that the seminars normally are provided annually.

DVORYAK Mr. Dvoryak stated as a follow up to the earlier discussion on the energy opportunity that he wanted to take a moment to thank Mr. Holman and staff for continuing to pursue relevant cost saving opportunities and encourage them to continue looking for other opportunities that may exist throughout the township.

HOLMAN Mr. Holman responded that they are working on another opportunity to be presented during the February 11th Recycling Committee meeting.

10. SOLICITOR'S REPORT

RAUSCH Solicitor Rausch stated that he had nothing to add to his written report. He noted that he had received a check from Darrah to the township for the \$16,000 contempt fine money.

SCHENCK Chairman Schenck asked whether the other proposed settlement was off the table.

RAUSCH Solicitor Rausch responded that he was not sure. His point was that they had waited long enough and wanted to get this part settled. If a resolution can be reached he will deal with it. Everything is on appeal, but the money was released.

11. MANAGER'S REPORT

HOLMAN Mr. Holman stated that he had nothing further to add to his written report. He noted that Chris Gibbons and Scott Mehok were present to discuss Ordinance 2010-01.

12. ORDINANCES AND RESOLUTIONS

A. Ordinance No. 2010-01 – General Obligation Bonds: Funding for BNR Project

GIBBONS Mr. Chris Gibbons thanked the board for the opportunity to work on the funding for the BNR project. For Ms. Landis' benefit he provided background information. He explained that the township took bids on the BNR project at the Wastewater Treatment Plant, a regional plant. The township borrows on behalf of all the communities that participate in that project. The township was starting to get low on cash so the idea of actually borrowing and the timing of that borrowing became a narrower timeframe as to when to move ahead with the financing. Bank loan proposals had been solicited to determine if there was available a more cost effective financing as was done in 2007 with bank loans rather than a bond issue. Documentation was provided for the board's review. He provided a lengthy presentation as to their findings, summarized:

Refinancing of 2007 Bank Loan/Financing of New Money

- Build America Bonds passed by Congress in 2009, taxable bond with subsidy.
- Internet bidding done for refinancing and new money; first of its kind in Pennsylvania.
- Township received an A+ rating from Standard & Poors.
- Township qualified for municipal bond insurance.
- Competitive Bond Sale, Series AA 2010 placed for Internet bidding; par amount \$9,455,000.
- UBS Securities provided the lowest rate by 1/100th of a percent using municipal bond insurance.
- Vining and Sparks, Chicago, IL provided aggressive bid of 3.42% after Federal Government subsidy.
- Uninsured bidding was aggressive due to the A+ or greater credit of the township.
- Selling taxable bonds in lieu of tax-exempt will be less attractive to investors but this is done on a fixed rate.
- New borrowing savings - \$875,000; Refinancing at 3.63% fixed for 18 year term.
- Fixed rate bank loan at 3.9% through 2017; then variable capped at 6.25%
- No prepayment penalty.
- Sources and uses of financing: Series A 2010 Build America Bonds – Principle amount \$18,175,000. Rate of return on money at \$52,000 resulting

in proceeds available for projects of \$18,227,000; project amount is \$17,600,000.

- Paying Agent would be TD Bank; Buchart-Horn will certify that debt is paid for by sewer revenues.
- Build America Bonds callable in 10 years; cannot be refinanced except for new construction.
- Bonds are eligible for purchase of public pension funds; however, township has no risk in who buys the bonds.
- Build America Bonds – township requirement is to submit a report to the Federal Government every six months in order to receive the subsidy (35%), which is anticipated to be in hand when the debt service payment is made.
- In the future the process is to be made electronically rather than a paper process.
- Audited financial statements and statistical data to be submitted on an on-going basis.
- Some concern expressed with infancy of Build America Bonds, entitlement programs, etc.
- Build America Bonds have two sinking fund bullets in 2019 and 2022. All other maturities are serially maturing between now, 2011, 2017 and 2022.
- Market for Build America Bonds resulted in 15 to 20 different issues. Commonwealth of Pennsylvania is processing one currently.
- Best case scenario basis points in savings: 41 basis points, life of issue of \$875,000.
- Sewer Fund checking account has \$4 million in sweep account.
- Financial advisors are independent of township staff investigation.
- Manager Holman had reached out to Congressman Todd Platts and local legislators to assure that the Build America Bonds program is a good program for Springettsbury Township.
- At the end of the project township will have borrowed \$27 million but have about \$4 million in the Restricted Funds account for further improvements in the plants.
- Township Sewer Fund will have approximately \$6 million in surplus to repair township infrastructure lines.

MR. BISHOP MOVED FOR THE ADOPTION OF ORDINANCE 2010-01, GENERAL OBLIGATION BONDS. MR. BOWMAN WAS SECOND. MOTION CARRIED 4/1. MESSRS. SCHENCK, BISHOP, BOWMAN AND DVORYAK VOTED IN FAVOR; MS. LANDIS VOTED NO.

SCHENCK Chairman Schenck stated that he had been very impressed and that they had done excellent work in this project.

GIBBONS Mr. Gibbons thanked him for his comments.

B. Resolution No. 2010-26 – Met Ed Street Lights – East Market Street/Eastern Boulevard (Rite Aid Project).

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-26, MET ED STREET LIGHTS. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-27 – Met Ed Street Light Upgrade – 725 Plymouth Road

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-27, MET ED STREET LIGHTS, 725 PLYMOUTH ROAD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2010-28 – Met Ed Street Light Upgrade – 1900 Industrial Highway.

MR. BISHOP MOVED TO ADOPT RESOLUTION 200-28, MET ED STREET LIGHTS, 1900 INDUSTRIAL HIGHWAY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

LANDIS Ms. Landis asked for an explanation of photo control maintenance.

SCHENCK Chairman Schenck responded that the lamps have a sensor so when it gets dark the light comes on. Met Ed is responsible for maintaining that device on the lamp itself.

E. Resolution No. 2010-29 – YAUFRR Year 3 Salary Assistance Grant

HOLMAN Mr. Holman stated that the resolution continues the cost sharing for Chief McCoy and the Administrative Assistant. It's the application for grant and aid for the third and final year of that project.

SCHENCK Chairman Schenck noted that a grant was received, but it requires the township to apply every year.

HOLMAN Mr. Holman added that there is no guarantee in any year that it will be approved.

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-29, YAUFRR 3-YEAR SALARY ASSISTANCE GRANT. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 2010-30 – Recognition of Nicholas Gurreri

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2010-30 RECOGNIZING NICHOLAS GURRERI. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

13. OLD BUSINESS

A. YorkCounts Public Safety Task Force Update

BISHOP Mr. Bishop reported that an email had been circulated. His report is summarized:

- The contract with the consultant for the study is now \$75,000 instead of \$50,000. Mr. Bishop had not seen the contract or proposal.
- YorkCounts had determined that there now is DCED money to fund ½ or 1/3 of the study cost.
- In order to do the DCED grant, two municipalities must jointly apply.
- The City of York, which was to be the lead municipality and West York Borough, had originally come forward to make application. However, there have been political changes in both municipalities. They are working on that aspect.

SCHENCK Chairman Schenck asked whether any meetings are scheduled to discuss that.

BISHOP Mr. Bishop responded that all of this is happening at the YorkCounts level. The Task Force has not met and no meetings are scheduled. This operation is totally being run by YorkCounts and the Task Force gets email notification.

DVORYAK Mr. Dvoryak asked whether anyone was monitoring the Berks County study.

BISHOP Mr. Bishop responded that the Task Force received copies of their study. He added that all of it is on the Berks County website. The study was done by the same consultant and was done at the county level. Mr. Bishop offered to provide a link to the study if anyone was interested. He noted that it is kind of interesting the way York Counts did it; they basically put their Chairman onto the Task Force who was not from a municipality and their Chairman and YorkCounts staff and YorkCounts members are pretty much doing everything. The Task Force has no real involvement.

14. NEW BUSINESS

A. Motion to Ratify December 19, 2009 Weather Emergency Declaration by Township Manager and Rescission thereof Effective December 21, 2009.

MR. BISHOP MOVED TO RATIFY THE DECEMBER 19TH WEATHER EMERGENCY DECLARATION BY THE TOWNSHIP MANAGER. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

DVORYAK Mr. Dvoryak brought forward an issue with paying employees at the end of the year. He had received several emails and telephone calls on the issue. There were some employees who couldn't get their money until the following Monday after payday because of banks being closed. He noted that in the private sector when a holiday falls on a day like that the employees are paid a day early to make sure they have access to their funds. He did not know if there was a policy in place in the township for that, but it would be important to keep the staff happy

when it comes to paying them. He hoped that there could be better planning for that to try and meet everyone's needs.

SCHENCK Chairman Schenck agreed with Mr. Dvoryak. In the private sector it is typical to pay the day before or at least make the funds available to the associates. In this case he did not know what had been communicated ahead of time to the employees. He had received a lot of hateful emails that on the surface seemed legitimate.

HOLMAN Mr. Holman responded that very simply, the year ended December 31st for the township budget; the new budget began January 1st. The payment was budgeted for January 1st but the money cannot be transferred December 31st. That would apply to the 2009 account.

BISHOP Mr. Bishop noted that this was not just a holiday. It was a holiday falling on payday. Mr. Holman is talking about moving all those funds from one budget year to another.

HOLMAN Mr. Holman added that the funds would be moved to the prior budget year, and that cannot happen. Beginning January 1st this is the township's 27-payroll year in 2010.

SCHENCK Chairman Schenck indicated that the budget could have been adjusted for that occurrence knowing how the calendar was going to play out to pay on the 31st in last year's budget. It was brought to the board's attention for 2010 with the 27 pays, and it is budgeted.

BISHOP Mr. Bishop commented that it wasn't just a normal holiday pay; it was bigger than that, and he had run into it in his business as well. They had done some major shifting from one year to another.

SCHENCK Chairman Schenck noted that they had done so in his business as well.

15. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 9:30 p.m.

Respectfully submitted,

John Holman
Secretary

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**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 4, 2010
APPROVED**

The Board of Supervisors of Springettsbury Township held a Reorganization Meeting on Monday, January 4, 2010 at 5:00 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, Pennsylvania.

MEMBERS IN

ATTENDANCE: Bill Schenck
Don Bishop
Mike Bowman
George Dvoryak
Julie Landis

ALSO IN

ATTENDANCE: John Holman, Township Manager
Jim Baugh, Community Development Director
John Luciani, Civil Engineer
Dori Bowders, Manager of Administrative Operations
Betty Speicher, Director of Human Resources
Bob McCoy, Chief, York Area United Fire and Rescue
Jack Hadge, Director of Finance
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Acting Chairman Bill Schenck called the meeting to order at 5 p.m. He stated that the meeting was the annual Springettsbury Township Board of Supervisors' reorganizational meeting. He led the Pledge of Allegiance. He welcomed Julie Landis, a new member of the Board of Supervisors. Ms. Landis had requested a colleague to provide the Oath of Office.

CRALEY Ms. Theresa A. Craley, a Notary Public, led Ms. Landis in the Oath of Office and congratulated her.

2. ELECTION OF OFFICERS

A. Chairman of the Board of Supervisors

Current Chairman: Bill Schenck

SCHENCK Acting Chairman Schenck called for the Election of Officers. He called for nominations for Chairman.

MR. BISHOP NOMINATED BILL SCHENCK TO BE CHAIRMAN OF THE BOARD OF SUPERVISORS. MR. DVORYAK WAS SECOND.

SCHENCK Acting Chairman Schenck called for other nominations. Hearing none, the nominations were closed.

MOTION UNANIMOUSLY CARRIED.

B. Vice Chairman of the Board of Supervisors
Current Vice Chairman: Don Bishop

MR. BISHOP NOMINATED GEORGE DVORYAK AS VICE CHAIRMAN. MS. LANDIS WAS SECOND.

SCHENCK Chairman Schenck called for other nominations for Vice Chairman. Hearing none the nominations were closed.

MOTION UNANIMOUSLY CARRIED.

C. Assistant Secretary/Treasurer
Current Assistant Secretary/Treasurer: George Dvoryak

BISHOP Mr. Bishop commented that the position that had traditionally been extended to the newest board member as an excellent way to educate oneself in financial and other matters.

LANDIS Ms. Landis responded that she would be more than happy to accept the nomination for Assistant Secretary/Treasurer.

MR. BISHOP NOMINATED JULIE LANDIS TO BE ASSISTANT SECRETARY/TREASURER. MR. BOWMAN WAS SECOND.

SCHENCK Chairman Schenck called for other nominations. Hearing none he called the nominations closed.

MOTION UNANIMOUSLY CARRIED.

3. APPOINTMENT OF BOARD DELEGATES

A. Appointment of Delegates and Voting Delegate to the PSATS Annual Convention
Current Delegates: Bill Schenck, Don Bishop, Mike Bowman, George Dvoryak and Julie Landis
Past Voting Delegate: Nick Gurreri

SCHENCK Chairman Schenck noted that traditionally all board members were appointed as delegates and one as a voting member, the selection of which was not necessary at this time.

HOLMAN Mr. Holman added that the selection could be made prior to the meeting before the PSATS conference.

MR. BISHOP NOMINATED THE ENTIRE BOARD AS DELEGATES TO THE PSATS CONVENTION. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS

A. Resolution No. 2010-01 – Appointment of Township Solicitor

Current Solicitor: Blakey, Yost, Bupp & Rausch, LLP – Charles A. Rausch, Esquire

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2010-01, APPOINTMENT OF TOWNSHIP SOLICITOR, BLAKEY, YOST, BUPP & RAUSCH, CHARLES RAUSCH, ESQ. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 2010-02 – Appointment of Township Civil Engineer

Current Engineer: First Capital Engineering, Inc. – John Luciani, P.E.

MR. BOWMAN MOVED TO ADOPT RESOLUTION 2010-02, APPOINTMENT OF TOWNSHIP CIVIL ENGINEER, FIRST CAPITAL ENGINEER, INC., JOHN LUCIANI. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Resolution No. 2010-03 – Appointment of Township Environmental Engineer

Current Engineer: Bucharth-Horn, Inc. – Dennis Crabill, P.E.

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-03, APPOINTMENT OF TOWNSHIP ENVIRONMENTAL ENGINEER, BUCHART-HORN, INC, DENNIS CRABILL. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

D. Resolution No. 2010-04 – Appointment of Township Secretary

Current Secretary: John J. Holman

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-04, APPOINTMENT OF TOWNSHIP SECRETARY, JOHN J. HOLMAN. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

E. Resolution No. 2010-05 – Treasurer

Current Treasurer: Jack Hadge

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2010-05, APPOINTMENT OF TOWNSHIP TREASURER, JACK HADGE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

F. Resolution No. 2010-06 – Appointment of Vacancy Board Chair

Current Chairman: Jeffrey Lobach

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2010-06, APPOINTMENT OF VACANCY BOARD CHAIR, JEFFREY LOBACH. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- G. Resolution No. 2010-07 – Appointment of Police Pension Fund Chief Administrative Officer**
Current CAO: John J. Holman

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-07, APPOINTMENT OF POLICE PENSION FUND CHIEF ADMINISTRATIVE OFFICER, JOHN J. HOLMAN. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- H. Resolution No. 2010-08 – Appointment of Fireman’s Pension Fund and Non-Uniformed Employee Pension Fund Chief Administrative Officer**
Current CAO: John J. Holman

MS. LANDIS MOVED TO ADOPT RESOLUTION NO. 2010-08, APPOINTMENT OF FIREMAN’S PENSION FUND AND NON-UNIFORMED EMPLOYEE PENSION FUND CHIEF ADMINISTRATIVE OFFICER, JOHN J. HOLMAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- I. Resolution No. 2010-09 – Appointment of Sewage Enforcement Officer**
Current SEO: Bradley Hengst – David Brown and John Luciani, Alternates

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2010-09, APPOINTMENT OF SEWAGE ENFORCEMENT OFFICER, BRAD HENGST, DAVID BROWN AND JOHN LUCIANI, ALTERNATES. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- J. Resolution No. 2010-10 – Appointment of Representative to York Adams Tax Bureau**
Current Representative: Jack Hadge
Current Alternate: Sandy Ratcliffe

MS. LANDIS MOVED TO ADOPT RESOLUTION NO. 2010-10, APPOINTMENT OF REPRESENTATIVE TO YORK ADAMS TAX BUREAU, JACK HADGE. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- K. Resolution No. 2010-11 – Appointment of Representative to Springettsbury Township Volunteer Fire Company**
Current Representative: Bill Schenck

SCHENCK Chairman Schenck provided some explanation. He stated that there had been a settlement with the fire company several years ago, and their by-laws were changed indicating that one of their board members had to be a township supervisor. This board decided which supervisor was that individual. Annually

someone is appointed to be on the fire company board. He had been delegated to serve in that capacity for some years. He noted that he was willing to give it up but was willing to do so for one more year.

BISHOP Mr. Bishop noted that Mr. Schenck had been serving in that position with great skill. However, Mr. Bishop commented that he thought he was slightly burned out in the position.

DVORYAK Mr. Dvoryak volunteered to serve in that capacity.

MR. SCHENCK MOVED TO ADOPT RESOLUTION 2010-11 APPOINTING GEORGE DVORYAK TO THE SPRINGETTSBURY TOWNSHIP VOLUNTEER FIRE COMPANY BOARD. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

L. Resolution No. 2010-12 – Appointment of Representative to Serve on the York Area United Fire & Rescue Commission (2 Year Term)
Expired Term: Don Bishop

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-12, APPOINTMENT OF REPRESENTATIVE TO SERVE ON THE YORK AREA UNITED FIRE & RESCUE COMMISSION FOR A TWO-YEAR TERM, DON BISHOP. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

M. Resolution No. 2010-13 – Appointment of Springettsbury Township Citizen-At-Large Representative to Serve on the York Area United Fire & Rescue Commission (2 Year Term).
Expired Term: Austin Hunt (Spring Garden Township)

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2010-13, APPOINTMENT OF SPRINGETTSBURY TOWNSHIP CITIZEN-AT-LARGE REPRESENTATIVE TO SERVE ON THE YORK AREA UNITED FIRE & RESCUE COMMISSION (2 YEAR TERM), AUSTIN HUNT. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

N. Resolution No. 2010-14 – Appointment of Representative to Local Government Advisory Committee (LGAC)
Past Representative: Nick Gurreri

LANDIS Ms. Landis volunteered to serve in that capacity.

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-14, APPOINTMENT OF REPRESENTATIVE TO LOCAL GOVERNMENT ADVISORY COMMITTEE (LGAC), JULIE LANDIS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- O. Resolution No. 2010-15 – Appointment of Members to Planning Commission**
Expired Terms: Alan Maciejewski, Mark Robertson and Charles Wurster

MS. LANDIS MOVED TO ADOPT RESOLUTION NO. 2010-15, APPOINTMENT OF MEMBERS TO PLANNING COMMISSION, ALAN MACIEJEWSKI, MARK ROBERTSON AND CHARLES WURSTER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- P. Resolution No. 2010-16 – Appointment to Park and Recreation Board (4 Year Term)**
Expired Term: Veronica R. Sinclair-Anderson

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2010-16 – APPOINTMENT TO PARK AND RECREATION BOARD (4 YEAR TERM). MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- Q. Resolution No. 2010-17 – Appointments to Recycling Committee (No Term Length – Annual Appointment)**
Current Members: Ron DiAngelo, Stephen Baker, Penny Dellinger, Deb Bixler, William Greenawalt and Charles Stuhre.
Proposed: Same as above

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2010-17 REAPPOINTING THE SIX MEMBERS OF THE RECYCLING COMMITTEE. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- R. Resolution No. 2010-18 – Appointing Members to Historic Preservation Committee (No Term Length – Annual Appointment) Current Members: Mary Ellen Monson, Lois Miller, Luther Sowers, June Frick and Lee Davis**
Proposed: Same as above

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2010-18, APPOINTING THE SAME FIVE MEMBERS TO THE HISTORIC PRESERVATION COMMITTEE. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- S. Resolution No. 2010-19 – Designation of Zoning Officer and Deputy Zoning Officer**
Current Zoning Officer and Deputy: James Baugh, Zoning Officer – Angela Liddick, Deputy Zoning Officer.
Proposed: Same as above

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-19, APPOINTING JIM BAUGH, ZONING OFFICER AND ANGELA LIDDICK, DEPUTY ZONING OFFICER. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

- T. Resolution No. 2010-20 – Appointment of Building Official and Deputy Building Official.**

Current Building Official and Deputy (s): James Baugh, Building Official – Angela Liddick and John Luciani, Deputy Building Officials, respectively.
Proposed: Same as above.

MR. BOWMAN MOVED TO ADOPT RESOLUTION NO. 2010-20, APPOINTMENT OF BUILDING OFFICIAL AND DEPUTY BUILDING OFFICIAL, JAMES BAUGH, BUILDING OFFICIAL, ANGELA LIDDICK AND JOHN LUCIANI, DEPUTY BUILDING OFFICIALS. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

U. Resolution No. 2010-21 – Appointment of Certified Public Accountant Auditing Firm

Current: Sager, Swisher and Company, LLP

DVORYAK Mr. Dvoryak asked how the prices compared with what was paid for past audits.

HADGE Mr. Hadge responded that it was within \$500 to \$1,000, which was very comparable.

HOLMAN Mr. Holman added that one fluctuating item was whether or not a single audit is needed for a grant. It depended upon how much was spent, such as by spending \$500,000 in federal grant money in a year, then a single audit would be necessary for that one grant. If not, then the audit is not necessary and no fees are involved.

DVORYAK Mr. Dvoryak asked when proposals were issued last.

HADGE Mr. Hadge responded it was in 2003.

MR. DVORYAK MOVED TO ADOPT RESOLUTION 2010-21, APPOINTMENT OF SAGER, SWISHER AND COMPANY, LLP, CERTIFIED PUBLIC ACCOUNTANT AUDITING FIRM. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

V. Resolution No. 2010-22 – Appointment of Personnel Attorney

Current Personnel Attorney: Ballard Spahr, LLP – Patrick J. Harvey, Esquire

MR. BISHOP MOVED TO ADOPT RESOLUTION NO. 2010-22 APPOINTING BALLARD SPAHR, PATRICK J. HARVEY AS PERSONNEL LABOR ATTORNEY. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

W. Resolution No. 2010-23 – Establishment of Treasurer Bond

MR. DVORYAK MOVED TO ADOPT RESOLUTION NO. 2010-23 ESTABLISHING THE TREASURER BOND. MS. LANDIS WAS SECOND. MOTION UNANIMOUSLY CARRIED.

X. Resolution No. 2010-24 – Approval of Bank Account Signatories

MS. LANDIS MOVED TO ADOPT RESOLUTION NO. 2010-24, APPROVAL OF BANK ACCOUNT SIGNATORIES. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

Y. Resolution No. 2010-25 – Designation of Depositories and Safety Deposit Box

SCHENCK Chairman Schenck noted that the item had not changed, although it had been reviewed.

HADGE Mr. Hadge noted that each year there are a few items moved around.

LANDIS Ms. Landis suggested that a Request for Proposal be issued in order to do the due diligence to be more competitive.

SCHENCK Chairman Schenck questioned whether there are agreements with the banks that lock in the use of lock boxes and depositories for any length of time.

HADGE Mr. Hadge responded that the only agreement in place is an annual agreement with Sovereign Bank in terms of the lock box operation for the Sewer Fund.

DVORYAK Mr. Dvoryak asked whether any shopping was done for that during 2009.

HOLMAN Mr. Holman responded that they had shopped around, and a meeting is being held with the final three banks.

DVORYAK Mr. Dvoryak asked whether Metro was one of the ones under consideration.

HOLMAN Mr. Holman responded that he was correct; however, they want to make sure that their lock box programs and computer programs can transfer into the township's MUNIS program without any further township requirements. It is important to make a seamless transfer between the two accounts.

LANDIS Ms. Landis asked whether a stipulation was put in place so that residents would be able to pay sewer bills locally at the banks. She was aware that there had been complaints along those lines.

HOLMAN Mr. Holman responded that two of the banks will allow local payments. Some of the banks dropped out of the mix as they do not offer that service.

SCHENCK Chairman Schenck commented that the Sewer Fund issue is currently under review.

HOLMAN Mr. Holman agreed and added that they had been working on the project for about four months. Any time a change of banks would be made, the Resolution would be revised.

BISHOP Mr. Bishop commented that re-establishing the depositories and safety deposit boxes every year is a requirement. The Resolution must be approved this date.

LANDIS Ms. Landis clarified that the only item being shopped for is the Sewer Fund.

HOLMAN Mr. Holman responded that she was correct; not at this moment, no.

DVORYAK Mr. Dvoryak questioned whether Act 71 required the township to be limited to certain banks for that coverage.

HOLMAN Mr. Holman responded that when the township deposits money into a bank, it must be Act 71 certified. That means that the public funds are protected in that bank through a consortium, which is over and above the \$250,000 from the FDIC.

SCHENCK Chairman Schenck commented that it would be necessary to adopt the Resolution this date in order to note on record the location of funds. Moving forward, to respond to Ms. Landis and Mr. Dvoryak's questions, discussion can take place as to how to go about a review and develop a strategy. It would be a huge project to review all the banks; however, it could be done in small bits and pieces.

LANDIS Ms. Landis noted that banks are hungry for municipality dollars.

MR. BISHOP MOVED TO ADOPT RESOLUTION 2010-25, DESIGNATING DEPOSITORIES AND SAFETY DEPOSIT BOX. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. OTHER ITEMS

A. Set Dates and Time for Regular Meetings of Board of Supervisors (second and fourth Thursday of each month – 7:00 p.m.)

Exceptions

- June, July, and August – fourth Thursday only.
- November – Wednesday, November 17th (due to Townships of the Second Class Convention being held on second Thursday in November).
- December – second Thursday only.

B. Set Dates and Time for 2010 Budget Work Sessions

Proposed

**SPRINGETTSBURY TOWNSHIP
REORGANIZATION MEETING**

**JANUARY 4, 2010
APPROVED**

- October 6, October 13, November 3, November 10 (7 a.m.)
- November 17 (6:30 p.m.)

LANDIS Ms. Landis noted that the 7 a.m. timeframe for Work Sessions would not be compatible with her work schedule.

Consensus of the board was to set the dates and to consider some adjustments later in the year.

MR. BISHOP MOVED TO SET DATES AND TIMES FOR MEETINGS FOR THE YEAR. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. ADJOURNMENT

SCHENCK Chairman Schenck adjourned the meeting at 5:45 p.m.

Respectfully submitted,

John Holman
Secretary

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